



AMERICAN RAILROAD JOURNAL, AND ADVOCATE OF INTERNAL IMPROVEMENTS.

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AMERICAN RAILROAD JOURNAL, &c.

NEW-YORK, FEBRUARY 15, 1834.

In this volume of the Journal, we conclude the publication of the report made by the Canal Commissioners upon the survey of the route for a canal from Rochester to Olean Point, on the Allegany river. This report, although occupying much space, will be found well worth an attentive perusal.

NEW METHOD OF APPLYING STEAM POWER.

—Mr. Brown, of Keeseville, has stated that he has invented a plan by which he proposes to dispense altogether with the use of an engine, thereby not only saving the important item of fifteen thousand dollars in the expense, but moreover the cumbrous bulk and ponderous transportation of an engine. He has entire confidence in the perfection and utility of this discovery, having tried the experiment "on a small scale;" and is taking measures to patent his invention, and to demonstrate its capacity early the coming season. Mr. Brown is an ingenious mechanic and worthy citizen of our village. Thus, with Burden's boat, Rutter's process of generating steam, and Brown's application of its power, we may soon expect to ride from Troy to New-York and back in twelve hours, and at an expense less than we could stay at home in "these hard times."—[Keeseville Argus.]

COAL STEAM BOILERS.—The construction of steam boilers of such a form as to admit of the use of anthracite coal for fuel, instead of wood, has long been a desideratum. In the engine and apparatus of the steamboat Novelty, it was first designed to use coal, but from some imperfection or obstacle then yet unascertained, in the arrangement and adaptation of the furnace and boilers, that design was abandoned. It is now understood that Dr. Nott has persevered in his experiments for the construction

of a boiler and furnace, in which coal may be used to greater advantage than wood, till success has crowned his efforts. But what the form or fashion of his contrivance is for this purpose, we are not informed.

We see it stated in a New-York paper, that a Mr. Disbrow, already favorably known to the public as an ingenious and enterprising mechanic, has likewise succeeded in constructing a "Lackawana coal boiler," one of which is in operation on board the steamboat Delaware, and of which an individual who witnessed its operation says, "it accomplishes all the anticipations of the inventor."

Specification of a Patent for a New Manufacture of Wheels for Locomotive Engines and Cars, to run upon Railroads, granted to MATTHIAS W. BALDWIN, city of Philadelphia, June 29, 1833. [From the Journal of the Franklin Institute.]

To all whom it may concern, be it known, that I, Matthias W. Baldwin, of the city of Philadelphia, have invented a new and useful manufacture of wheels for locomotive engines and cars, to run upon railroads, and that the following is a full and exact description of my said invention.

Instead of making the wheels for the carriages of locomotive engines, and of other cars, or carriages, to be used upon railroads, of cast iron, or of a combination of cast and wrought iron, or of wood combined with cast or wrought iron, or with both, as they have been heretofore made, I cast the rims of such wheels, as well as in most instances the spokes and hubs, or naves, in one piece with the rims, of a composition of metal known to workmen under the name of hardened brass, or gun metal. It is not necessary for me to designate the proportions in which the respective metals are mixed which form the hardened brass or gun metal, as these will vary with the degree of hardness desired in the rim, or tread, of the wheel, in a manner well known to those conversant with the casting of brass and its compounds. Where it is desirable to increase the adhesion between the rail and the wheel, it may be found necessary to make the wheel proportionably softer, by decreasing the quantity of tin entering into the composition of them, or even to cast them of soft brass or of copper entirely.

I do not intend to confine myself to any particular form for the tread of the wheel, or for the spokes and hub; but to modify it in such way as experience may suggest to be the best adapted to the particular carriage or road to which the wheel is to be applied. I intend sometimes also, to cast the rim of the wheel of such metal without spokes, but furnished with

such flanches, lodgments, or projections, as shall enable me to attach thereto, spokes of wood, iron, or other material.

My claim to an exclusive privilege I rest entirely upon a new manufacture of such wheels, by substituting for their rims, or for every part of them, a new material as hereinbefore set forth, the utility of which consists in its being better adapted to the purposes which they are intended to answer in running upon railroads.

MATTHIAS W. BALDWIN.

On Saxton's Improved Method of Propelling Carriages. By A READER. To the Editor of the American Railroad Journal, and Advocate of Internal Improvements.

In your number of 16th November last, you furnished your readers with the specification of a patent obtained in England by Joseph Saxton, for an improved method of propelling carriages. On reading it, I was very much pleased with the result promised, and at the same time rather incredulous, doubting whether the inventor had not deceived himself. I could not see through the principle, but did not think that any argument against the truth. I find I was not singular, for it is stated that "Many able engineers had found a difficulty in comprehending the principle." So, thinking it highly curious, and to put an end to my doubts, I made a small model. It works to admiration, and is the delight of every one who has seen it. It is a beautiful mechanical toy, but I am persuaded can never be used advantageously on so great a scale as railroad transportation would require. I had no intention of troubling you—it is the first time I have done so; but the subject has acquired new interest in my view, by the announcement, in a London paper, of some steps taken towards introducing the principle into practice.

I send inclosed the communication referred to, and I am, sir,

A READER.

New-York, 3d Feb., 1834.

EXPERIMENTAL RAILWAY.—A lecture was given, or rather a conversation was held, yesterday noon, at a temporary building and railway, situate in Park street, near the Gloucester gate, Regent's Park, on the "Economical, rapid, and safe travelling upon railways by means of Mr. Saxton's patent locomotive differential pulley; by which simple invention (the placard states) a horse, walking at the rate of

two or three miles an hour, will be able to propel a carriage at the rate of thirty miles an hour."

It appears that a few civil engineers and gentlemen being desirous of trying this invention, a piece of ground is formed into a railway of a quarter of a mile in extent, for the purpose of trying experiments, and yesterday the introductory lecture was given, and several models exhibited.

A Mr. Hawkins, who officiated, addressed the few gentlemen present, by observing that the railway was not in a sufficient state to try any experiments then, and he hoped no gentleman had come there under that impression; if so, his money should be returned. What he contemplated on the present occasion was to explain the principles on which Mr. Saxton's invention was founded, and to elucidate the same by models. This invention was calculated to propel a carriage at the rate of one mile in two minutes; the railway before them when completed would be a quarter of a mile in length, which distance and back, being half a mile, he anticipated performing in one minute. Ultimately he considered the distance from London to York might be performed in about six hours, and he did not despair of achieving in the same way a journey from the metropolis to Edinburgh in the space of one open day. The present invention was a new application of leverage, and one which was rather difficult to be understood, unless put in operation. Many able engineers had found a difficulty in comprehending the principle; but he would use his best endeavors to make himself clearly understood, and should feel happy in answering any question put to him. It consisted of having ropes, one mile in length, extending along the railway, and by means of Mr. Saxton's differential pulley, it was calculated that, with the power of one horse, a carriage, containing passengers to the weight of about one ton, could be propelled at the rate already stated of thirty miles an hour. It would require one horse to each mile, but whilst the carriage proceeded at the rate of thirty miles, the horse would only perform a distance of 150 yards; at the end of each mile fresh ropes were applied to the carriage, a fresh horse worked the second pulley, and thus it proceeded on the journey, a person being stationed at the end of each mile to effect the change of gearage. By these means, it was asserted, the greatest acclivity might be ascended, and the experimental railway would be so formed as to show its effect in this particular, part of it being on the same scale of declivity as Shooter's Hill, or one foot in ten. He next proceeded to show, by means of diagrams and models, the mode in which the propelling force was acquired by the newly invented pulley, and then proceeded to state that it was not his intention to run heavy carriages on the railway. One ton, he thought, would be quite sufficient, because, when they could send ton after ton at the rate of thirty miles an hour, and without any delay between, carrying great weights was unnecessary. On the present plan of locomotive engines, it was indispensable that they should be formed to carry heavy weights, because the locomotive engine generally weighed ten tons; and that great weight, being in a state of agitation, wore out and damaged the road infinitely more than all the traffic that passed over. It was found also that one locomotive engine required three times as much fuel as a stationary engine of the same power. It was his intention to use horses, because one horse power would be sufficient for his purpose; and it was found that there was no saving in using engines under six-horse power, it being as cheap to keep six horses as to work a six-horse engine. There would, in this way, be a great saving in the expense of the power; there would also be a great saving in the construction of the railway. At present a yard of railway weighs 50 lbs.; his would weigh less than half. At present hills are cut down, and valleys raised, to make a railway; by the proposed plan this would be unnecessary.

Mr. Hawkins, having concluded his lecture, answered several inquiries made of him by gentlemen present, and received their best wishes for his success. In the course of the conversation, he mentioned that the manufacturer who had made the rails for the company was now executing an order from America for 1,000 miles of railway.

THE GENESEE AND ALLEGANY CANAL.

[Continued from page 69.]

Part of the Route from Rochester to Allegany at Olean, through the Valley of Genesee River.

It has been ascertained that the principal objection to this route is the difficulty at Nunda falls, at which place the banks are steep, high and rocky, and run close into the shore. In addition to this, there are three perpendicular falls in the distance of a mile and a half, amounting in the whole to 274 feet. By a reference to the map, it will be seen that the river here makes a very circuitous bend, embracing a narrow neck of land which rises high above its bend.

Having only passed over this neck without measuring the distance, I could not form an adequate idea of its width, but am of opinion it will not vary much from 200 rods in its narrowest place, and that its height will not fall short of 200 feet. To encounter the difficulty at this place, therefore, it was obvious that the expense must be great, and it was hoped that some other could be found more feasible and better suited to the importance of the object.

The appearance of the map indicated two favorable points, to wit, the valley of the Cushequa and Canasara. And several intelligent gentlemen residing in that quarter were of opinion, that by keeping up the river a short distance, and preserving the level along its banks, we might easily wind out of its valley, and rise above the high lands at the heads of these streams.

To effect this, therefore, was the object of my examination. We commenced at a place called Norton's farms, near the middle of the east line of the town of Nunda, in a valley which opens through the country in an eastern and western direction, and is bounded on the south by an extensive range of hills nearly parallel to it, and which appear to be of a uniform height. Here we found the main branch of the Canasara, which heads in the hills several miles to the north, and comes into the valley from that direction, and then winds off towards the east. We commenced our level in reference to this stream, and took a westerly direction along the valley.

No obstruction appearing in our way until we came to the Cushequa. The banks of this stream are high and wide, and should the Canasara route be adopted, it must be crossed by culvert and embankment with a heavy expense. At this place the land begins to ascend.

We soon run up to sixteen feet, and within two and a half miles to fifty-eight feet, when we came to an abrupt ridge two hundred and one feet above our level, which extends quite to the river, and precludes the hope of getting round. The descent from this point to the bed of the river is four hundred two feet, and consequently below our level two hundred and one feet. To surmount this, allowing the descent in the river to be eight feet in a mile, (and it will not vary much from it,) it is evident we must go up a little more than twenty-five miles, and as the canal from the Allegany will probably come into the Genesee river at the mouth of Black creek, it is likely it may be difficult to unite the two without some extra expense.

As we did not measure the distance, and do not know any thing of the texture of the soil except from external appearances, our calculation of expense must be uncertain and liable to error. But as it may be desirable to know something on the subject, I submit the following estimate.

The distance of deep cutting from 16 to 58 feet, will be 2 1/2 miles, and the amount of excavation, 1,510,422 cubic yards.

The earth is of a light loam, and a considerable part of it may be excavated for eight cents per cubic yard. But when we take into consideration the depth of cutting, and the distance to which much of the earth must be carried, I am of opinion the average expense will not fall short of 25 cents per cubic yard. This item then amounts to \$377,605 55.

The ridge from whence it begins to rise abruptly to where the level cuts it on the opposite side, is about one hundred rods through, and to make a semi-circular tunnel this distance of thirty-four feet span, which will only give sufficient space for an arched wall 28 feet span and three feet thick, would require the excavation of 27,744 cubic yards. I mention this size because it would be sufficient to admit the pas-

sage of two boats at a time, such as are used on the Erie canal, and any thing less than that would, in my opinion, so incommode the navigation as to more than counterbalance the difference of expense. What the expense of this excavation would be must depend upon the quality of earth through which we must pass. But supposing it to be favorable, as external appearances indicate, it would not fall short of fifty cents per cubic yard, which will amount to \$13,872.

The arch way would contain 14,608 perches. For this work stone can be had within four miles, and in that case the expense may not exceed four dollars a perch, making the sum of \$58,432. As to the expense of making the canal along the bank of the river I think we could not reasonably estimate it at less than \$6000 per mile, including grubbing and clearing, and all the contingent expenses. Distance twenty-five miles—\$150,000. Here then we have an aggregate expense of \$599,909 55.

While at Greigsville, we were informed that a connection might be very advantageously formed between Rush Creek and the west branch of the Cushequa, as these streams rise in the same swamp; but upon examination we found the lands so high as to put that route entirely out of the question. It should be here mentioned, that whether the Canasara or Cushequa route is adopted, the difficulties mentioned above must be encountered, as they are common to both. The Cushequa route is shorter by several miles, and may perhaps be preferable on that account.

The Canasara, at Dansville, is a very commodious mill stream; and I know of no place in the western country, (with the exception of Rochester,) so well calculated for hydraulic operations; and should it ever be deemed expedient to form a connection with the Susquehanna river, there is no point perhaps more eligible than that between Arkport and one of the branches of that stream. The distance between the two points is short, and there are no obstructions in the way. I have seen the ground, and speak with confidence.

I was requested by Judge Bouck to make some examinations on the Allegany river, in relation to the improvement of its navigation. It not being convenient for me to attend to it myself, I engaged Mr. Cantine, my assistant at that time, to go down as far as Franklin, and collect such information as he supposed might have a bearing on the subject. The result of his inquiries he has communicated to me in a letter, a copy of which is herewith transmitted.

On his return, he informed me, that the distance from Warren to Franklin was sixty miles, and the descent of the river between the two places, was 189 feet. That the west bank, particularly, was very favorable to the construction of a canal, with the exception of 3 1/8 miles. This distance, though more expensive than the rest, was by no means impracticable. The bottom of the river stony, but generally free from rock. No bluffs or sliding banks the whole distance. Materials of every description necessary for the construction of the work were very convenient, and in great abundance. He also learned from various respectable sources, that these remarks were generally applicable to the whole distance to Pittsburgh. Such being the facts, the cost per mile of making a canal from Warren to Franklin, exclusive of lockage, may not exceed \$6000. This distance, being sixty miles, the expense amounts to \$360,000

Lockage 189 feet, at \$8⁰⁰ per foot, 14,175

\$374,175

Now allowing the average cost per mile, from Warren to Franklin, to be applicable to the distance from Warren to Pittsburgh, we shall perceive that as the one is \$6,240, nearly, and the other two hundred miles nearly, that the whole expense of that distance will amount to \$1,248,000. And we also perceive, that allowing these and the calculations made for the second route, as communicated in this report, to be true, that the whole expense of making a canal navigation from Buffalo to Pittsburgh will not be equal to \$2,000,000.

Now if the State of Pennsylvania will but bring forth her science and resources to this mighty enterprise, she may, in conjunction with the State of New-York, effect a work which, for its importance in a commercial, agricultural, and national point of view, cannot be equalled by any other similar undertaking in the Union.

The above is respectfully submitted by
CHARLES T. WHIPPO.

Murray, January 28, 1826.

(Copy of Mr. Cantine's Letter.)

Dear Sir: Agreeably to your directions, I proceeded down the Allegany from Warren to Franklin, in Penn-

sylvania. I left the former place on the 8th day of October last, accompanied by a gentleman selected by the citizens of Warren as a man the most capable of giving correct information of the operation of the floods, and of the river generally.

The stream was uncommonly low, which afforded the best opportunity of viewing its bottom. From the best information I could obtain from the citizens of Warren, I was of opinion the west side afforded the greatest facilities, and my examinations were therefore principally confined to that side. My examinations may be classed under three heads. First, the descent in the river, by estimating the fall in the river by the different ripples, by comparing them with the two we had ascertained with the instrument. Second, to ascertain if the stream could be improved by damming, and locking, and canalling from one dam to another. Third, canalling on the west side, to be supplied with water from the river or the streams that fall into it.

1st. Estimating the descent, I judge it to be one hundred and sixty feet: but on my return to Warren, on searching the prothonotary's office, I found by comparing our levels with a report made by commissioners appointed by the legislature of Pennsylvania, to survey a route for a canal from lake Erie to the Alleghany river at the mouth of French creek, I found the descent to be one hundred and eighty-nine feet. Those commissioners, in their report, regret that it was not in their power to procure an experienced engineer with proper instruments to investigate the route: it is, however, probable that that report is nearly correct.

2dly. Draining the river, &c. The reason why this mode of improvement was suggested, is, that it was feared the banks of the river would be so steep and difficult as to prevent the construction of a canal. To avoid this difficulty, several dams would be necessary, but it would be impossible to determine their location or number; not knowing the descent in the river from one point to another, and believing as I do, that it would be better to construct a canal on the west side of the river, I shall therefore proceed to the result of my examination on that head.

3dly. Canalling on the west side, &c. The distance from Warren to Franklin is sixty miles. Sixteen miles of this, the side-hill comes down to or near the water's edge, at seventeen different places; which is moderately steep. At almost each of those there are several rods together, where there is a margin sufficiently elevated above the river, and wide enough to admit of a canal.

There are three miles of steep side hill; soil the whole of this distance of the sandy order, some places loamy with some detached masses of rock. The river along this distance not to exceed ten feet deep at any one place where it would be necessary to construct works for a defence to the canal, and the greater part of the distance less than three feet deep.

The bottom of the river, the whole distance, was stony, and all the information I could obtain from the old settlers, as to the changes of its channel and banks, agreed that they were few and gradual, and the uniformity of the descent, the appearance of its banks, the great width of the stream, and its appearance generally, unite to show the information correct. There is not a bluff or sliding bank on the whole shore. A covering or lining of stone on the outer side of the tow-path, sloping at two to one, would be sufficient to protect it from the effects of the river; the stone for this purpose in many places would be obtained in digging the canal, and at other places from the bed of the river.

There are two chains of rock bank in horizontal strata; they will admit of being easily broken up; the bed of the stream at this point is rock, thinly covered with loose stones, which, when I viewed it, was but partially covered with water. There is good earth convenient to this place, to form the canal, and the stone for covering may be taken from the bank or the bed of the stream; the river is of good width here.

The residue of the distance, the canal may be carried through favorable ground at or near the foot of the hill, altogether out of the reach of the floods of the river.

As to a supply of water, on this subject there can be no difficulty. There are a number of streams that fall into the Alleghany on the west side, and their descent is sufficiently rapid when they enter the valley, to be made use of as feeders, and to be crossed conveniently, the largest of which are Broken-straw, Oil and French creeks; there is every material necessary for the construction of the work in the vicinity where it will be used. The most intelligent gentlemen in that quarter united in stating that the river was of the same character from Franklin to Pittsburgh.

I was cordially received by the citizens of Warren and Franklin, and every information in their power afforded. Most respectfully, your obedient servant,
ARM. CANTINE.

To C. T. WHIPPO, Esq.

To the Honorable the Board of Canal Commissioners of the State of New-York,

I take the liberty to address the following report:

That the following examinations have been made by your orders, for the purpose of ascertaining the practicability of constructing a canal, and of supplying the same with water, to connect the Erie canal with the Alleghany river, by passing the village of Batavia, and up the valley of the Tonawanda creek, to a summit to be formed between Cattaraugus lake at the northeasterly, and Lime lake at the southwesterly extremity, and thence descending by the valley of the Ischua and Olean creeks, to the Alleghany river at Olean Point.

For which purpose I commenced the 6th October, 1825, at the level of the Alleghany river at Olean Point, at which place it is ten rods wide, and sends forth 12,236 cubic feet of water per minute. From thence an accurate level and measurement of distances was carried up the Olean creek 7 miles and 42 chains, to its junction with Oil and Ischua creeks in the township of Hinsdale, and found the rise to be 37.79 feet between the Alleghany and Oil creek. Oil creek at its junction yields 551 cubic feet of water per minute, in the driest weather. From the mouth of Oil creek, the level and survey were continued up the Ischua through the townships of Franklinville, Farmersville and Yorkshire, to Lime lake, a distance of 27 miles and 66 chains from Olean Point; and the total rise from the Alleghany river to Lime lake is 233.63 feet.

A canal from Olean to Lime lake would pass through a valuable tract of country, well cultivated, and abounding with pine and oak timber of the first quality. The soil is a sandy loam, easily excavated, and the surface is generally very regular on the line of canal. The summit dividing Ischua creek from the south end of Lime lake, is about one mile in length, through a tamarack swamp, and rises on an average six feet above the surface of Lime lake. Suitable stone for locks, &c. can be found along the line at convenient distances.

From Lime lake, (which is the summit,) the summit level was carried in a direction towards Cattaraugus lake, and it is ascertained that Beaver lake is 62 feet, and Peacock lake 53 feet above Lime lake; and both these lakes have several smaller ones connected with them, it is evident their waters can all be brought on the summit level.

Cattaraugus lake was found to be 22 feet above Lime lake, but being on the line of the canal, it must be cut through, and also a dividing ridge at the northerly end of the lake, which rises 15 feet above the level of the lake, and runs out to the level in 25 chains. From Lime lake to the north end of the deep cut, the summit level would be 24 miles, and the ground generally favorable, though in many places sidelying and steep, and all may be called heavy timbered land. The only deep cut unavoidable is through the Cattaraugus lake and the dividing ridge. The cutting through the lake would be 26 feet for half a mile, and through the ridge 41 feet for near one-fourth of a mile. The average cutting for two miles is about 20 feet, and it is to be presumed that rock would be met in those depths.

From the northerly end of this deep cut, the country slopes gently to the north, and the canal would follow the valley of the Tonawanda creek, which would be the principal feeder, and runs through a country of excellent soil and highly cultivated for 30 miles; to Batavia, and thence 20 miles further (having a choice of ground the whole distance) to the Erie canal. The whole distance or length of the Batavia and Olean canal is 101 miles and 66 chains.

The water to supply the summit level of this canal is as follows, viz:

The west branch of Ischua creek to be turned into Lime lake, yields per minute	200 cubic ft.
Lime lake, from a surface of 150 acres, per minute	150 "
Beaver and Fish lakes do. 240 acres, per minute	200 "
Peacock & Mud l. Cr. cr. 250 acres, per minute	700 "
Cattaraugus lake 150 acres, per minute	150 "

Total, 790 1400

Besides these, would be taken in several small spring brooks; and it should be understood that these calculations were made at the driest part of an unusually dry season. It is the opinion of respectable, observing men, that these same lakes and streams have usually afforded more than double the quantity herein stated, during whole seasons in succession; and that these lakes might be made into reservoirs of more than double their present capacity, by erecting dams across their outlets of moderate height, and comparatively at a trifling expense, which would insure a supply of water on the summit adequate to the demands of extensive commercial operations.

The lockage on the Batavia and Olean canal is as follows:

From Cattaraugus lake northerly to the Erie canal	1,135.84 feet.
From Lime lake southerly to the Alleghany river	233.63 "

Total amt. lockage, rise and fall, 1,369.47 feet.

It is proper here to state the lockage on the Rochester and Olean canal, by the Oil creek summit, viz.:

Total lockage north from Oil creek summit to Erie canal	981 feet
Total lockage south from Oil creek summit to Alleghany river	78.79 "

Total amount of lockage, rise and fall, on this route 1,059.79 "

Difference of lockage between the two routes 309.63 "

The principal feeder for the Oil creek summit from the west is the Ischua creek, which can be taken out for that purpose at the foot of Farwell's mill race, three miles and twenty-four chains above the mouth of Oil creek, viz.: Ischua, at Farwell's mill, feet per minute, 750 Lime lake, and Beaver and Fish lakes, 400

which can be turned into the Ischua,	1150
Oil creek, near the summit, say	150
	1300

Having viewed Oil creek summit as a remarkable depression across the country, and very favorable for a canal, the following examinations were made with a view to that object. The Alleghany river at Olean is 2 chains 50 links wide, and moves at the rate of 100 feet per minute, at an average depth of $\frac{9}{16}$ foot, and sends forward 12,236 cubic feet of water per minute. Its total descent from Olean to Pittsburgh is 650 feet, and the distance 280 miles; and in order to a better knowledge of this fine river, a level was carried up the river 8 miles to Rea's mills near the Pennsylvania line, and in that distance the surface of the river had risen 17 feet. About half a mile below Rea's, the Oswego fork of the Alleghany comes in from the east: this fine stream has a swift current, and sends out 2,500 cubic feet of water per minute. I had hopes that this stream might be brought to the Oil creek summit by extending the summit to the vicinity of Olean; and this I believe to be practicable, provided the Oswego could be taken out a few miles south of the Pennsylvania line. This feeder made navigable would lead into the region of stone coal.

A canal uniting with the Alleghany river by either of the above routes, would accommo-

date a large section of our country, whose surplus products are equal in quantity and quality to those of any portion of the state in proportion to its cultivated land and population, in both which respects it is rapidly increasing. These are primary advantages to a large portion of our citizens, but with the state, other considerations are to be considered; as the great enhancement in the value of the state lands, which are known to abound in lumber of the best quality, and coal mines and other minerals, which are known to abound on the various branches of the Alleghany, and the very extensive commerce which would be drawn through this canal, and down the Alleghany and the Ohio, and from the countries adjacent.

With all these advantages, this canal would undoubtedly soon become a source of increasing revenue to this state.

All which is very respectfully submitted.
 NATHAN S. ROBERTS, Engineer.
 Lenox, Madison co. N. Y. }
 18th January, 1826. }

NEW STEAMBOAT.—We copy from the "Troy Budget" an account of another invention, which report says will supersede Mr. Burden's. We have sent to the inventor, requesting him to furnish drawings and descriptions of his plans, and hope shortly to be able to lay them before our readers. It consists, we understand, of two boats, and a third may be added—300 feet long, and decked over their whole length. Each boat, in shape and mould very much like the Indian bark canoe, is firmly secured by arches attached to the bottom and passing up through the deck, about 20 feet high in the centre, extending nearly the whole length of the boat. The appearance of the boat is pleasing, and is acknowledged by competent practical scientific judges to be far superior to anything yet in the shape of a steamboat. Mr. Langdon intends to finish the boat in a superior style, with two cabins of 200 feet each, dispensing with the promenade deck and every thing necessary for its support. On the main deck, the only one required, he also intends to have two horizontal engines, one each end of the shafts, the cranks being placed at right angles. The boiler will be constructed like the one which is in operation at the steam-engine works of Langdon, Grosbeck & Co., West Troy, for burning anthracite coal. The boiler is very economical in its consumption of fuel, and is a rapid generator of steam. Mr. L. is of opinion that one firing will be sufficient to carry his boat from Troy to New-York. We have seen the boiler, and it certainly appears, like the boat, to be superior to every thing of the kind in the country.

The boat is an interesting and ingenious specimen of mechanism—combining great strength and durability with a spacious deck and extensive cabins. Its buoyancy and dimensions, united with the perfect safety attending it, together with the superior accommodations which can be furnished, when put in operation, will bring about a new era in the history of travelling by steam. Mr. L. has secured a patent, and intends to have his boat in readiness for use in the course of the next summer.

Mr. Langdon is not unknown to the public as a worthy and skilful mechanic. He is the inventor of the Horse Ferry Boat, which has come into very general use. We wish him the completest success in his new enterprise.

Prize Medals to be awarded, for Discoveries in Science, by the Royal Society of London.
 [From the Journal of the Franklin Institute.]

GENTLEMEN,—I am directed by the American Philosophical Society to communicate to you, for publication, the annexed letter, received at their last stated meeting. The object of the Society is to diffuse the information given in that letter throughout the scientific community in the United States.

Very respectfully, yours,

A. D. BACHE,
 One of the Secretaries, Am. Philo. Soc.

Somerset House, Apartments of the Royal Society, London, Aug. 3, 1833.

SIR,—I am honored with the commands of His Royal Highness, the President of the Royal Society, to acquaint you, for the information of the American Philosophical Society, at Philadelphia, that His Majesty, the King, has been pleased to grant two gold medals of the value of £50 each, to be awarded by the Royal Society on the day of their anniversary meeting in each succeeding year, for the most important discoveries in any one principal branch of physical and mathematical knowledge.

His Majesty having graciously expressed a wish, that scientific men of all nations should be invited to afford the aid of their talents and researches, I am accordingly commanded by His Royal Highness the President to announce to you, sir, that the said Royal Medals for 1836 will be awarded in that year: the one for the most important unpublished paper on Astronomy, the other for the most important unpublished paper in Animal Physiology, which may have been communicated to the Royal Society for insertion in their Transactions, after the present date, and prior to the month of June, in the year 1836.

For the present, and the two following years, the Council of the Royal Society, with the approbation of His Majesty the King, have directed the Royal Medals to be awarded for important discoveries or series of investigations published within three years previous to the time of award; and those for the year 1833 have been adjudged, the one to Sir John F. W. Herschel, for his paper on the investigation of the Orbits of Revolving Double Stars, inserted in the fifth volume of the memoirs of the Royal Astronomical Society; the other to Professor Decandolle, for his investigations in Vegetable Physiology, as detailed in his work entitled *Physiologie Vegetale*.

I have the honor to be, Sir, your most obedient servant,
 CHARLES CUNIG,
 For. Sec. Roy. Soc.

To the Secretary of the American Philos. Soc., Philadel.

APPARATUS FOR OBTAINING FIRE.—A very ingenious apparatus is now exhibiting at the store of Mr. John Bailey, in Union street, for obtaining fire. It consists of two glass cylinders, the outer one of which contains a compound of sulphuric acid and water, and in the inner one, which is without a bottom, is suspended a piece of zinc. The action of the acid upon the zinc creates a gas, which is let out by means of a valve, and in coming in contact with atmospheric air, immediately ignites a piece of platina exposed to it. The apparatus is very neat, and was constructed by a young man in Mr. Bailey's employ, from a description of a similar work in Europe.—[New- Bedford Gazette.]

Amount of produce, &c. shipped at and passed Utica on the Erie Canal during the year 1833.

	Passed.	Shipped.
Domestic spirits,.....gallons	1,609,616	493,169
Boards and scantling,.....feet	40,804,377	114,626
Timber,.....do.	1,733,255	401
Shingles,.....do.	55,287	4,152
Staves,.....M.	9,264,523	35,307
Flour,.....barrels	967,813	16,055
Provisions,.....do.	27,919	3,808
Salt,.....do.	62,860	253
Ashes,.....do.	29,508	2,478
Lime,.....do.	15,357	406
Beer,.....do.	586	90
Cider,.....do.	284	11
Wood,.....cords	4,808	—
Wheat,.....bushels	1,175,423	37
Coarse Grain,.....do.	302,578	21,060
Bran and Ship Stuffs,.....do.	300,518	14,623
Pean and Beans,.....do.	8,260	266
Clover and grass seed,.....pounds	1,460,628	34,329
Wool,.....do.	1,166,673	293,480
Cheese,.....do.	1,857,944	1,279,908
Butter and Lard,.....do.	4,554,315	1,405,861
Hops,.....do.	443,236	291,927
Fur and peltry,.....do.	268,521	5,723
Gypsum,.....do.	18,750,501	—
Stone,.....do.	8,805,039	187,304
Merchandise,.....do.	157,357,547	5,148,195
Furniture,.....do.	7,595,732	589,548
Clay,.....do.	1,821,565	—
Coal,.....do.	6,423,090	95,905
Pig Iron,.....do.	1,810,215	12,350

The amount received for tolls, &c. at this office during the past year is \$55,064 32; which exceeds the amount received in 1832 by the sum of \$8,019 54.
 Collector's Office, Utica, Dec. 27, 1833.

Synopsis of Meteorological Tables, kept at Rochester, N. Y., for the years 1831, 1832, and 1833.

Ann. Res.	TEMPERATURE.			PRESSURE.			INCHES RAIN.			INCHES SNOW.			THER. SP. W. & L.		
	1831	1832	1833	1831	1832	1833	1831	1832	1833	1831	1832	1833	1831	1832	1833
Jan.	23	26.4	31.4	29.45	29.56	29.42	3	9	1.4	15	11	37	39	35	35
Feb.	23.5	26	26	29.70	29.65	29.51	5	4	0.0	33	35	36	37	36	36
March	41.8	38.6	35.4	29.39	29.44	29.50	1.3	8	1.1	5	7	37	38	37	37
April	47.5	47.4	52.5	29.38	29.43	29.54	3.8	1.5	1.8	2	1	42	41	41	41
May	58.7	57.2	62	29.42	29.51	29.51	2.8	4.3	6.1	6	—	43	43	43	43
June	71.6	70.3	62	29.53	29.50	29.42	3.4	1.2	2.6	—	—	52	50	52	52
July	71.3	74	70.9	29.49	29.50	29.51	5.4	4	3.8	—	—	58	54	54	54
August	71	70.5	68	29.61	29.60	29.49	1.2	2	2	—	—	60	56	56	56
Sept.	60.9	62.8	63.5	29.50	29.54	29.54	2.4	1.7	1.5	—	—	57	54	54	54
October	51.5	52.6	19.5	29.54	29.50	29.46	4.2	2.3	1.3	—	—	45	44	44	44
November	38.9	34.5	40.4	29.44	29.51	29.46	1.6	2.8	1	—	—	40	40	40	40
December	19.5	34	34	29.49	29.47	29.56	0.0	2.4	1	—	—	47.4	47.1	46.9	46.9

Coldest and Warmest Days of 1831, '32, & '33.

YEARS.	COLDST DAY.	WARMST DAY.	MEAN OF EX.
1831.	February 7, 4° below zero	June 3, 9° above ze.	49.5
1832.	January 27, 6° below zero	June 25, 88° above ze.	47
1833.	January 17, 4° above zero	July 21, 91° above ze.	43.5

(GEOFFREY FARMER.)

NEW-YORK AMERICAN.

FEBRUARY 6-14, 1834.

LITERARY NOTICES.

No. XIV.

DEXTER, (*Washtenaw Co., M. T.*) Dec. 15th.

I have been waiting here since I last wrote in order to join an exploring party of three or four individuals; to go up into Shiawassee county, to examine lands. A heavy snow storm has set in to-day, however, and as it will put an end to the expedition, I shall probably start by myself for the Holesago county to-morrow. The journey to Grand River which I proposed to myself, I shall, from the time it would consume, be compelled now to abandon entirely. I do not regret the time I spent here for I am not far from the centre of the territory; and while I have my head quarters at a good tavern in a well settled place, I can, in a ride of a few miles, plunge at once into the wilderness. It is a pretty dangerous matter, however, for a stranger to go without a guide reconnoitering through a country where every hill, lake and wood, looks so much like its brother, that the ordinary landmarks are of no assistance to the eye. The scenery of Michigan will be far more attractive when cultivation shall give variety to a landscape which, however beautiful it is at present, is somewhat monotonous. After visiting nearly a dozen of the transparent ponds of every size which stud the surface of the country, and finding but two or three whose firm banks of some fifteen or twenty feet elevation, assumed a picturesque appearance, from the irregular manner in which they pushed their beautifully wooded promontories far into the lakes they bounded, I started, the other day, to visit a sheet of water somewhat elevated, about twelve miles off. My way, after going a mile or two from the village, led through oak openings of rolling land, called "the short hills," which I can best assimilate to a collection of enormous graves—the tombs of cities, if you choose—thrown confusedly together upon a perfectly level surface—where a patch of wild meadow land—a cranberry marsh, or a bog that looked like the desolated bed of a lake, and frequently indeed the shallow lake itself, filled up the intervals. The huge oaks that crowned the summits of these formal mounds were the only objects that relieved the dreariness of the landscape—even they, I thought, while riding alone beneath their branches, that sighed to the December wind, were not the most enlivening objects in the world. I rode thus for miles, without seeing a living thing, except a raven, which, as that description of bird is only found in these parts of the Union where wolves still infest the country, I at once took it for granted was hovering near one of the savage beasts to which he so faithfully plays the Jackall. Wheeling my horse suddenly from the trail toward a thick et of dwarf oaks, where I expected to find the carrion deer that attracted these worthies, he shied from the bush, and I was thrown upon the spot. After extricating the foot, by which I was dragged a yard or two, from the stirrup, I sprang up but little hurt and moved as quickly as possible to catch my horse, who, having paused for an instant in a clump of trees near by, turned his head around, like a pointer taken aback with the scent after he has passed a bush, and stood calmly gazing at me. At the first step toward the rascal, however, he moved nearly a rod sideways, and then ducking his head toward the ground, and throwing his heels high in the air, my ungrateful courser, accompanying these motions with every additional mark of disrespect he could summon to his aid, left his master alone in the wilderness. He disappeared behind a hill in a moment. I could not help ejaculating with the Kentuckian whose house and family had been burnt up by the savages while he was cleaning his rifle at a brook hard by—"This is very ridiculous." No time was to be lost however. It was late in the day and I was far from any house; while the occa-

sional flakes of snow, which began to fall from the black lowering sky, threatened a storm which might cover in a moment the only path that could guide me homeward. I sat down at once among the long dry grass, and stripping off my leggings and disembarassing my heels of the now useless spurs, stowed all away in my coat pockets. The coat itself, I rolled up in a bundle around my left arm, and taking my gun, to which I applied a fresh cap, in my right, I strode off in as good a humor as one could summon under such provoking circumstances. I could not help thinking, indeed, how much worse matters might have been had I been thus deserted in one of the broad prairies, thirty miles, perhaps, from any house. As for the loss of my horse, I felt so indignant against the inconsiderate brute, that I confess it did not much trouble me. Thus did I trudge on, growing momentarily a better humor with myself. The scene around was dreary at present, but having had all the wild flowers that grow in Michigan described to me, I exercised my imagination by conceiving the more attractive appearance it must wear in summer. I thought how the brown woods must look when the lofty oaks around were clothed in their deep green foliage. I thought of the various vines and flowers which then fill the broad opening between their stems—of the clumps of cluster roses that here grow wild and cover whole acres—of the crimson daisy and fragrant balm pink, the deep-hued lichnidia, and gorgeous golden rod, which, with jonquils and amaranth, the purple fox-glove, and saffron colored silk weed paint the surface of the soil. I could fancy the glossy leaves of the night shade, with its white blossoms and poisonous berries, the creeping ivy and red columbian clustering at the base of the hills. The snow-white lily of the valley, the lilac-tinted, adder's tongue and straw-colored arrow-head, shooting through the long grass between, while the purple fleur-de-lis bloomed along the wet marshes, and the splendid cardinal flower tossed its scarlet leaves in the breeze that swept the banks above.

I must have practised horticulture in this way for sometime, when on rising a slight eminence in my path, I saw my amiable roan standing quietly looking in the direction whence I was coming, apparently waiting for me. I was completely mollified. I forgave him the little freak and advanced with a light heart to lay my hand upon the bridle. He moved a little, and so did I. He moved a little more and I stood still. I spoke to him, but he continued moving. I coaxed him in a tone that would have melted the heart of one of the marble horses of St. Mark's. He was moved by it only further from me. I whistled to him—(I had taught him a day or two before to come to my whistle, when he had obeyed me like a dog)—he stopped, and I advanced once more to lay my hand on the saddle, and the scoundrel broke into a trot just as I was about touching him. I brought my piece to my shoulder, and could hardly forbear drawing the trigger upon him as I stood.

The ground now rolled like the waves of a frozen sea, and my nefarious brute, who soon began to stalk leisurely along about a hundred yards ahead of me, would, to carry out the figure, be just topping the combing while I was in the trough, and vice versa—like two children balancing on a plank. It was perfectly insufferable, mile after mile, to see that eternal saddle bobbing up and down a hundred yards ahead of me. Sometimes, indeed, the vexatious wearer would step aside among a cluster of oaks to nip the tender grass which still lingered around their roots, and then as he would arch his neck, and seeming to admire the Indian blanket and flame colored surcingle which, after the gay taste of the west, I had buckled, combining use with ornament, to the back of the ungrateful brute, dash off with a snort into a patch of prairie land, I could not but admire the eye of fire and gracefully-gathering-limbs of the spirited creature. I wished, however, that he was any body's horse but mine, disporting himself at that rate. Besides he was a Kentucky horse, and what right had he to run thus wild in Michigan. At last at a turning of the path he disappeared behind a hill, and ceasing longer to tantalize, left me comparatively comfortable. I reached the first "clearing" about 20 minutes afterward, and looking along the highway which here commenced, my steed was nowhere to be seen. Tirel alike with walking and vexation, and parched with thirst, (I had neither eat nor drank since breakfast, and it was now nightfall) I advanced to the only shanty near, and knocked at the door. There was no answer, and I shook it violently. A rush-bottomed chair rattled and a cat, the solitary occupant, sprang out through a broken window. I soon found my way, however, to the dilapidated trunk of a large sycamore tree near, which formed the top of a well, and draw-

ing up a moss-covered bucket I placed my lips to the rusty iron-bound brim and took a draught to which the most delicious of Lynch's chateau were but vile *vin-du-pays* in comparison. I can remember but one drink in my life before to compare with it, and that was from a similar goblet after other lips than mine had hallowed the brim. A few moments after a lad rode into the yard with the object of my pursuit, whose bridle had been broken to pieces in the effort of several men to catch him a mile or two off. I was mounted in a moment, and regained my lodgings in an hour, when I found that the adventure of the day had not impaired my relish for a supper of fresh pike and white-fish just smoking on the table.

The range of hills which traverse the Peninsula longitudinally near here, though never, I believe, more than 200 feet high, are said by some to constitute the most elevated part of Michigan. As they abound in game and consist altogether of oak openings, you can conceive of nothing more animating than to gallop over them on horseback. I was out again among them yesterday; and having a pocket compass with me and a map of the country in my pocket, I ventured to leave the trails that wind among the hollows, and scamper over the hills, as my fancy led me. A large flock of grouse rose almost from beneath my horse's feet as I topped the first slight eminence, and then just as the animal was recovering from the flurry into which the rushing sound of their wings threw him, a tall broad-antlered buck, the largest I ever saw, sprang from a small covert, and bounded through the wide forest glades. Away too I went—the feeling was irresistible—I could see the fellow leaping as if he had wings over the rolling land, and the clear bracing atmosphere had given spirits to my horse, that sent us ahead like one and the same animal. In spite of the deer's prodigious jumps, which were as high as they were long, I had gained decidedly on the chase, when coming to the brow of a steep hill, he dashed down the side, and was far away over another before my less agile horse could descend the first. I saw two more deer, besides several flocks of grouse, during my morning's ride. Singularly enough, this was the only time that I had moved a mile without a gun since I left New York; and it was the only opportunity I have had to use one to advantage. If Der Freyschutz were in this region, I should certainly have let the wild huntsman make his own terms with me for better luck.

To-day, for the first time, I saw the meadows on fire. They are of vast extent, running far into the woods like the friths of a lake; and as the wild grass which they supply in the greatest profusion, furnishes the new settler with all the hay he uses for his stock, they are burnt over thus annually to make it tender. These fires, travelling far over the country, seize upon the large prairies, and consuming every tree in the woods except the hardiest, cause the often-mentioned oak openings, so characteristic of Michigan scenery. It is a beautiful sight to see the fire shooting in every direction over these broad expanses of land, which are kindled at a variety of points. The flame at one moment curls along the ground, and seems to lick up its fuel from below, while at the next it tumbles over like the breakers of the sea upon the dried grass, and sweeps it in a wave of fire from the ground. I found myself repeatedly surrounded by the fire, while riding hither and thither, watching its progress; but was only on two occasions exposed to any inconvenience—once when my horse was bogged to the saddle girths, so that I had to dismount, in a morass, covered with high weeds, to which the flame was approaching, and again when I found myself in a patch of small woodland, which crackled and roared like tophet itself.

As I rode to and fro here, with a young gentleman in company, trying to find a point where, if necessary, we might encounter the flame to less disadvantage; if unable to avoid it altogether, the ridiculous position in which we had placed ourselves, reminded me not a little of that which Andrew Fairservice occupied on the rock, when he trotted hither and thither on his narrow platform, to avoid the bullets of Rob Roy's Caterans. A finer subject for reflection, however, presented itself near the spot. A small brook crossed the meadow, and my companion dismounting, led his horse through, and gained the other side in a moment. But mine, when I rode him rapidly to the brink, and endeavored to jump him, recoiled. I wheeled round, and tried it again; but his recent experience in the treacherous marsh made him fear the sedge brink, and nothing could prevail upon the cautious animal to approach it. At the last attempt, he recoiled so

suddenly with a terrified snort, that I was nearly thrown over his head; and looking for the new cause of anxiety where the stream wound around, so as almost to double itself in front of me, I saw, on the little peninsula of the burning meadow thus formed, an Indian standing with folded arms amid the wreathing smoke, and surveying my motions with an aspect of perfect calmness. He was a middle-aged man, rather tall, and in the full costume of his tribe. The hair on his forehead, which was seamed with several ghastly scars, was nearly white, but three long plaited locks of raven black fell down behind from the crimson handkerchief which bound his brows. He wore a white woollen frock edged with black, with scarlet leggings and moccasins, while armlets of silver and a belt containing his tomahawk and scalping-knife completed his equipments. All these, however, were observed afterwards, when I had given up the attempt to cross the brook, and spurring through the flame where it was lowest, placed myself by the side of the old warrior. But for the present I remained fixed in my seat, gazing on the noble apparition with as much delight as if my own call had evoked it from the ground. I had seen a dozen Indians of all sizes and sexes in the course of the day, not one of whom had awakened the slightest interest; but there was that about the port and bearing of this grim-looking savage, which, with the somewhat theatrical attitude he assumed and the circumstances under which I first beheld him, carried me away completely. He smiled when I approached him, and received me with great kindness of manner; though, as neither of us understood the language of the other, there could be but little interchange of ideas between us. The few Indian expressions of which I am master, were soon expended, and he seemed not to have a word of English to give me in exchange. He made my companion understand, however, that the frightful wounds which disfigure his noble front, were received while fighting on the side of the British against the Americans at Sandusky.

The name of this veteran chief I have since learned to be *Okemaus*, and I find that he is well known and quite respected in the neighborhood.

GRASS LAKE, JACKSON CO. (M. T.) DEC. 16.

The storm of yesterday still prevailed when I left my excellent quarters at the growing little hamlet of Dexter, to find my way toward the country watered by the beautiful *Kalamazoo*. I had been furnished by mine host with a map of the route for the first eight or ten miles, and it would have amused you to see me occasionally stopping in a furious snow storm to balance my pocket compass on the hasty chart thus supplied. I found my way, however, with very little difficulty through a very thick wood, when the thick coat of snow that robed the trees gave a most fantastic appearance to the forest, and about noon I struck the Washtenaw trail to the west. The travelling, however, was anything but agreeable. The snow being soft would "ball," as it is called, beneath my horse's feet, and what with the stumbling and slipping on this account, I have been unable after a day's travel to make more than twenty miles. There was barely light enough left for me to distinguish my way, when I arrived at a comfortable log house belonging to an intelligent and hospitable farmer, a recent emigrant from the western part of the State of New York. The owner of the dwelling was absent, and it was not till after a parley of some minutes between two very pretty women, whom I could distinguish through the window by the light of a tempting-looking fire within, that I gained admittance to pass the night. Once there, however, nothing can exceed the kindness of the family to make the few hours I shall pass with them agreeable.

SPRING ARBOR, DEC. 17.

The snow still continues, and the road, becoming worse and worse, I have made even less progress to-day. But there is something so wild and picturesque in the country through which I am passing, that even such travelling has its pleasures. I have counted more than a dozen lakes on my route, and though some of them are only dreary-looking pools, covering a few acres, in the midst of an extensive moss marsh, yet the short sudden hills which surround others, with the beautiful groves of white oak on their banks, and the natural meadows that open upon their mimic friths, make a most romantic appearance. I came unexpectedly upon a travelling band of Ottawas this morning, in one of the most abrupt of these passes. They were returning home partly equipped with presents from the recent treaty held on the Wabash, and their fluttering blankets, gleaming weapons, and gaudy equipments generally,

would have made them a fine subject for a painter, as a furious squall of snow swept along the side-hill they were descending. We exchanged the customary salutation, "Bojur," (probably from the French *bonjour*), and passed on.

There are several Indian graves immediately before the door of the shantee where I am stopping for the night, which I am told are regularly visited and weeded by the surviving relatives of those here buried. My host has had the good taste to put a fence around them to keep his cattle from the spot—a piece of attention with which the Indians appeared to be much gratified at their last visit; and I may here observe that the settlers of Michigan generally appear to treat this ill-fated race with a degree of kindness and consideration that might well be imitated on other sections of our frontier. This morning I crossed the far-flowing Washtenough (or Grand River) near the new village of Jacksonburg; and the sight of its clear smooth waters inspired a new regret that I must abandon my original intention of following them down to the last trading post.

FORKS OF THE HEKALAMAZOO, (Calhoun) Dec. 18.

This never ending storm still continues, and the trails, where not incessantly travelled, being now completely covered and effaced, I lost my way this morning, and wandered several miles from the track. After traversing a broad marsh, however, where my sagacious horse seemed loth enough to venture, I struck a burr-oak opening, and found my way, by the blazed trees back to the main trail. A man who is used to it, I am told, can get along very well in this way; but you can imagine, that where one has frequently to cross openings of some two or three hundred yards in width, and then hunt up these primitive guide posts, which only occur at long intervals, and have their elice of bark taken out at either side, it is not quite so easy to find his way here, especially with the snow blowing full in his face, as if walking through the rectangular streets of Philadelphia. It took me three hours to gain six miles in this way, my horse slipping and flouncing at almost every step. But lost as I was, I could not help pausing frequently when I struck the first burr-oak opening I had ever seen, to admire its novel beauty. It looked more like a pear orchard than any thing else to which I can assimilate it—the trees being somewhat of the shape and size of full grown pear trees, and standing at regular intervals apart from each other on the firm level soil, as if planted by some gardener. Here, too, I first saw deer in herds; and half frozen and weary as I was, the sight of those spirited looking creatures sweeping in troops through these interminable groves, where my eye could follow them for miles over the smooth snowy plain, actually warmed and invigorated me, and I could hardly refrain from putting the rowels into my tired horse, and launching after the noble game. What a country this is. Into land like this, which is comparatively undervalued by those seeking to settle on the prairie, a man can run his plough without felling a tree, and, planting a hundred acres where he could clear but ten in the unsettled districts of New York, raise his 25 bushels of wheat to an acre in the very first season. "How is the soil here, Sir," said I to a farmer whose broad fields, though but a year under cultivation, looked as if they had been tilled for ten. "A pretty good gravelly loam of 18 inches; but I think some of moving off to Kalamazoo, where they have it four feet deep, and so fat that it will grease your fingers." Railroads and canals will make one broad garden of Michigan, and even now, there is something singularly pleasing to light upon spots in the wildest districts, which, were it not for the rude shantees which indicate their recent settlement—often of but a few months back—might be mistaken for the cultivated farms of an old country. The absence of stumps in the land under cultivation, and the open groves adjacent, give a smiling openness to the landscape which, with the myriads of wild flowers that here deepen the woods in their season, must make the aspect of the country perfectly delightful. I hardly know, though, how some of your city *élégants*, the votaries of Delmonico, or the fair visitants at Gardiner's, would meet the inconveniences of travelling here. As for eating, indeed, they might manage with the aid of cranberry sauce to rough it on venison and wild honey, backed by the finest potatoes and best wheat bread in the world; but I think that when it comes to sleeping, they would be somewhat posed between a bed in the bush and one shared with the hospitable inmates of a cabin, whose dormitory for the whole family is often, as well as their kitchen

* "Blazed" trees are marked with an axe or hatchet, to designate that a trail runs near them.

and parlor, comprised in a single room. Were it not an infraction of the second law of hospitality, I could draw some queer pictures of scenes I have witnessed in this way.

I have now passed the central region where the Eastern and Western rivers of Michigan have their rise, and while I follow down the pebbly waters of the beautiful Kalamazoo to their western outlet, and from thence pass to the mouth of the St. Joseph's, you must not expect the same regularity in my correspondence I have hitherto attempted to preserve. I am well.

MANLY PIETY ON ITS PRINCIPLES, by ROBERT PHILLIPS, of Maberly Chapel. New York, JOHN WILEY. A book on religious duties, which, like this, has the merit of being exempt from all cant, and which presents religion in an aspect that is attractive, and with tolerant views, cannot but do good. The manner of the writer is earnest and forcible, and his matter that which concerns all.

SELECT WORKS OF JAMES SHERIDAN KNOWLES, 2 vols. Boston, CARTER, HENDEE & Co., and ALLEN & TICKNOR.—The acting of MacCready, of C. Kean, of Forrest, and above all of Charles Kemble and his tragic daughter, have made the tragedies of Sheridan Knowles familiar to our theatrical public. *Virgilius*, *William Tell*, the *Hunchback*, and *The Wife of Mantua*, are all appreciated here. These, with other of his dramas, and some of his excellent prose tales, together with a brief memoir of his life, make up the contents of these two little volumes, which are quite an agreeable addition to current literature.

THE AMERICAN TURF REGISTER, &c. for February. Baltimore: J. S. SKINNER.—With much of the usual interest in this number for the amusement and information of sportsmen, there is in one of the papers a somewhat higher and more serious tone of philosophizing, if so we may call it, than is usual in discussing the breed of horses and dogs. We give an extract from this paper. It is to rebut the notion that because we have good horses in America, it is not worth while to seek to improve them by importations from abroad.

Change the name and the object, and the truth and justness of these remarks are of general applicability.

But I must notice an argument on account of its commonness—if argument that can be called which is a feeling, and not a reason; an argument which, springing out of our pride and prejudice, makes us put a high estimate on ourselves and our things, and a low estimate on other persons and things, and disdains to acknowledge that the growth of America is inferior to the growth of any foreign clime. Our people have a national conceit,—a public egotism,—which makes us exalt ourselves at the expense of others. Say any thing is *American*, and it is stamped at once with a nationality, which confers on it undoubted excellence and indisputable superiority. Hence it is that we hear the performances on the English turf denounced as fables, altogether unworthy of credit. As in higher and more important matters, so in matters of the turf, this wide-spread and rapacious feeling prevents us from imagining any thing superior to the feats of our own horses, and flatly denies that the superior means and facilities of England have produced their natural and correspondent effect. It would be as well to deny the existence of Shakespeare and Sir Walter Scott, because no one amongst us has yet rivalled "the Bard of Avon" and "the Great Unknown." It would be as well to deny the existence of Rothschild, because we have no banker who can control the operations of the most potent governments. We might as well deny the existence of London, the "modern Babylon," with her million and a half of people; or the magnificent system of English pauperism, which tells of two million recipients of public charity. The fact is; and it cannot be disguised, that England is in advance of us in many respects. She is in advance of us in age and power, and wealth and luxury, and corruption—in philosophy, poetry and eloquence—in manufactures, agriculture and commerce—in her military and marine resources—in her towns and internal improvements—in her public debt and public burdens. She is in advance

of us in the pleasures of life, yet farther than its business: in her theatres and shows—her amusements and sports—her boxing and cock fighting—her dog coursing and horse racing. It is true that we already rival her in many things, and surpass her in some; and as our country gets older and richer, and our citizens enjoy means equal to hers in all respects, there can be no doubt that, whether "for weal or for woe," we can fearlessly stand beside her in every thing. The time will come when the impartial scales of justice will award to us what our national vanity would prematurely snatch, and we can safely challenge a comparison with our mother country in all the employments and pleasures of life, and the consequences incident to them. The time will come when we shall have our poets and our paupers—our wise men and our woolen factories—our towns with a million of people, and our bankers with their millions of money. And, in relation particularly to our subject, we may safely assert, that the time will come when we shall manage things with more system and greater skill—when we shall have a better stock and better racing—when the performances of our horses will justly vie with the boasted feats of the English Eclipse, Highflyer and Priam.

A MONTH LATER FROM ENGLAND.—The ship *United States*, of the 13th Dec., and the ship *Napoleon*, of 24th Dec., from Liverpool, both arrived last week, giving us from England accounts one month later than previously received.

The British Parliament, which stood prorogued to the 12th December, was, by royal proclamation of 9th December, still further prorogued till the 4th of February.

The French Chamber of Deputies were to assemble on the 23d December.

The packet ship *North America*, which sailed hence on the 1st December, arrived out on the 23d.

The U. S. Schooner *Shark* sailed from Lisbon for Gibraltar Dec. 12th.

The Paris papers state that the Duke of Orleans will set sail for America in March next, and that he intends to pass the greater part of the year in visiting different parts of that country.

BEARHAVEN, Dec. 9.—"The Orpheus, Glover, from Charleston for Liverpool, having been got off the rock, proceeded yesterday, and has put into Bantry Bay."

"The American vessel wrecked at Berck, near Boulogne, the 2d December, is the *Dorothea*, from New York to Rotterdam. Crew saved."

The most important intelligence, at this moment, to our community, indeed to the whole country, is a considerable and unanticipated improvement in the price of the great staple of Cotton.

Some apprehension existed, we learn, that American Stocks sent to England for sale, might, with the bills drawn against them, be returned by these packets. Nothing of the sort, however, has occurred.

LONDON, Dec. 21.—The Consol-market, after a very long period of stagnation, has experienced an advance to day, to no very material extent. The cause assigned for it is a remarkable one, since it is given out to be the determination of the Bank to lend a sum of £2,000,000 on stock. According to another account, however, this is not to be done with money the property *bona fide* of the Bank of England, but with funds held in deposit belonging to the East India Company, for which corporation the Bank is to act in the affair solely as agent. All the reports agree, however, in stating that such a sum, at present lying idle, is about to be employed for such a purpose. Still the question naturally presents itself, why the bank should become an agent at all in such a manner, and why the same could not be done in a direct way by the East India Company? To the monied interest at large the effect will, perhaps, be the same, since there is as much an increase of the issue of notes in one way as in the other; but it is a very different thing with the public, which of the two corporate bodies is to appear in and to have the management of it. The whole sum is said to be engaged on the part of one leading capitalist. These consequences will be felt, if the fact is correct, in every description of stock, and of commodities, too, for such a sum cannot, it is obvious, be brought suddenly into a market already well supplied, without producing a sensible effect. Some say that this is already perceptible, and that a renewal of the demand

for produce is beginning to take place. The speculators are evidently on the alert, and if due precaution is not taken, will repeat the process which took place in the spring, by coming in at the lowest prices, and selling at the highest, leave their dupes to bear the brunt of the reaction sure to follow, and to lament over their losses. In whatever stage of its progress the affair may be, the warning cannot but be salutary.

In political matters the most interesting is that which concerns the growing difficulties between England and France on the one side, and Russia on the other, ostensibly, respecting the navigation of the Black Sea, but in truth, because of the design becoming more and more manifest of Russia to possess herself gradually, but surely, of the magnificent ruins of the Turkish Empire in Europe.

It is said that the partition of Turkey was resolved upon at the late conference at Munchengrätz; that Russia and Austria are to be the active agents in the affair; while Prussia will keep France in check on the Rhine. A correspondent of the *Times* says—

"The scheme of Joseph II. and Catherine II. as concocted prior to 1790, is about to be realized. The death of Mahmoud is to be the signal; and that event is hourly predicted by his own subjects, who detest him, and who hate the Russians more, in consequence of their having come to support him. It is even affirmed that the treaty of partition was signed between the despoilers at their late meeting in Silesia.

"The period for the great effort on the part of Russia is at hand: alone the prey may escape her grasp; Austria is therefore invited, as in the case of Poland, to take a share. The cautious proceedings so long adopted by the Cabinet of the Kremlin, of moving step by step and securing every position, must soon be abandoned; and Russia and Austria, no longer acting as foes, are resolved with the speed of vultures to devour the spoil. In France, the want is felt of a great military leader who could counteract this project by a bold display of power. England is compelled, for self-defence, to prevent the aggrandizement of Russia by aiding France. One step on the part of any statesman may, on the death of Mahmoud, involve Turkey, and light the blaze of war in Italy and along the line of the Rhine."

It does not appear what authority the writer possesses for these assertions. The facts, however, which he states, and the consequence anticipated from them, are sufficiently plausible.

By an article we copy from the *Times*, it will be perceived that both France and England are sensibly increasing their naval force afloat, and the only plausible explanation of these preparations seems to be, that of holding in check, or if necessary, acting offensively against, Russia, in the Mediterranean and Black Sea.

England, France, and Russia.—The naval preparations of Russia and France have for some considerable period attracted the notice of political observers in every port of Europe. The French Government has been pushing forward a powerful armament of men of war in her southern dock yards, to be accompanied by 20,000 or 30,000 troops for the purpose, as it is announced, of invading the African province of Constantina, a dependency of the former Government of Algiers. Perhaps a more pressing service might be discovered a few hundred miles to the eastward of that new French colony. Russia has a fleet in the Euxine, within three short days' sail of Constantinople, consisting of not less than 22 to 24 ships of the line. Can any one be surprised that the Government of Louis Philippe should hasten to be in readiness for all contingencies, or that England should participate its just apprehension of the manifest design of Russia? That England does share the feelings of France on that important subject seems plain from the fact, made known by all the newspapers, that our Admiralty have within these few weeks given orders to fit for immediate service several men of war and first class frigates, now lying in ordinary at Plymouth, Portsmouth, and Chatham, eight sail of the line, we believe and four or five frigates, which, with the *Victory* and two others already in commission at Plymouth, would constitute a force of 11 sail of the line; and, added to the squadron already in the Archipelago, would compose a fleet of some 16 or 18 sail of the line, including half a dozen three-deckers. Any longer indifference on the part of England to the progress of Russian conspiracy and

trickery against the magnificent ruins of the Turkish empire, would be an insult to the honour of this great people, a sacrifice of the security of British commerce, and of the freedom of the Mediterranean, as well as a crime against the independence and tranquility of the European Continent. We rejoice, therefore to learn from our brother journalists, that signs of increased alacrity to meet, or, in other words, to ward off, the evil which threatens us, are visible in the preparatory measures of his Majesty's Government. If the Cabinet of St. Petersburg shall be satisfied that France and England really "mean what they say," and that they rig out and man a formidable fleet, nor for ostentation, but, if unavoidable, for action, it is our belief that the Czar will turn more than once on his pillow before he dares the encounter of such a confederacy.—[*Times*.]

[From the *Liverpool Standard*.]

With respect to the affairs in the East, the ministry of England are unfortunately in this position, viz., they must either consent to surrender their rights of trade and navigation in the Black Sea to the Russians—either be content to be excluded from the Euxine—be content never to pass the Dardanelles except with the approbation of, or bearing a passport from, the Emperor—or they must go to war.

CONSTANTINOPLE, Nov. 11.—Another fire broke out in the night of the 3d inst. which was soon extinguished, but it affords the melancholy proof that incendiaries are still at work. Letters from Alexandria of the 4th inst. announce that Mehemet Ali has commissioned four banking houses to pay five millions of piastres (500,000 florins conventional money) to the Porte. This is only one year's tribute due from the Pacha of Egypt. It is well known, however, that there is still another year in arrear, as well as the tribute of the newly acquired provinces (20 millions piastres per year) of which two years are due, which Mehemet Ali refuses to pay. It is not known for which of these two accounts the sum now paid is intended; many conjectures are formed on the subject. We have no news from Candia; opposition to the Porte increases in Samos, and the opinion is that it is stirred up by foreign emissaries.

PARIS, Dec. 16.—The following is from the *Indicateur* of Bordeaux of the 11th instant, received by express. "The entrance of Spanish troops upon the Portuguese Territory, is confirmed by news which has reached us from the headquarters of General Morillo. This officer would not have set foot thereon but to pursue Don Carlos, who, after two months' hesitation, has considered that his royal dignity required him to appear upon the soil where the rights of Queen Isabella and his own are in conflict. This display of monarchical courage was not of duration. Only 30 men of his suite were able to save themselves; and on the 29th the Prince was at Elvas, where without doubt, he will take rest after his fatigues, but, where either the troops of Don Pedro or those of Isabella will go and dislodge him."

LONDON Dec. 23.—We last night received the Paris Papers of Thursday, together with all those of Friday and of Saturday's date. They are chiefly occupied with speculations and rumours but they add little to our positive knowledge as to the state of affairs in these parts of Europe which chiefly commanded attention at the present moment. As to Russia, the tone of the Journals following in the track of our own is sufficiently warlike, but it is supposed that, whatever may be the issue of the present demonstrations, a better understanding prevails for the moment between the Cabinets of the Tuileries and St. Petersburg. The accounts from Spain relate chiefly to the movements of troops and rumours of various kinds.

It would appear that the Queen's cause is not so triumphant as her partisans would have the world to believe. Valencia is stated to have declared against it, but the same paper (the *Memorial Bordelais* of the 17th) contains a letter from Madrid, announcing the advance of 44 millions by the commercial body to supply the wants of the Government. Nothing, however, of a decisive nature is to be inferred from those conflicting accounts.

Paris itself remained tolerably tranquil. Several of the medical students arrested on Tuesday were still in custody.

From Spain and Portugal we have direct accounts, later than those received by the packets. Details however, are supplied by them, of some interest.

The London *Spectator* thus speaks of the condition of the internal affairs of both these countries.

The report of the dismissal of M. Cruz, the War Minister at Madrid, is confirmed: but Zea Bermudez still retains his post. M. Zazo del Valle, a

decided Liberal, and friend of the Marquis De las Amarillas, is appointed to the War department *ad interim*; and there seems to be no doubt that the interest of the Liberals in the Queen's councils has lately been much strengthened. Great efforts have been made to procure the removal of Zea Bermudez, by Count Florida Blanca; who has addressed a strong Anti-Ministerial letter to the Queen; but the Minister has hitherto possessed the firm support of M. Rayneval, the French Ambassador; and until that fails him, it is believed his place will be tolerably secure.

Saarsfield has resigned the immediate command of the army to General Valdez, and is appointed Vice Roy of Navarre. It seems that his long, and apparently unaccountable inaction at Burgos, was owing to want of vigor, or perhaps to treachery, in the late Minister of War, Cruz; by whom he was left unsupplied with the necessary reinforcements, and hampered with contradictory orders. The vigorous representations of the Liberals, and the growing dissatisfaction in the capital, at length compelled the Queen to interfere.—Saarsfield sent in his resignation of the command; but first insisted upon putting a virtual end to the war by the capture of Vittoria and Bilbao.

The accounts from Portugal are unsatisfactory to all who wish for a speedy termination of the contest. Don Pedro gains no ground in the interior, and succeeds principally in disgusting his daughter's best friends in the capital. M. Carvalho, his Prime Minister is hated as heartily as his master; but, in his position, what Minister, could be popular for a month together.

Miguel has lately increased his force at Santarem, by recruits; and the arrival of a detachment of 3,000 men from his army, before Oporto, has enabled him once more to assume the offensive. He has dispatched troops into the Alentejo, with the intention it was supposed, of attacking Faro and Lagos in the Algarve.

The latter place had been supplied with provisions and a few soldiers by Napier; who was, however, unable to reach Faro, in consequence of a storm at sea.

MADRID, Dec. 10.—The news of the taking of Morella is confirmed. According to the rumors of the day, the castle was taken by assault, after an obstinate resistance, in which we lost many officers and men. The insurgents, it is added, were nearly all put to the sword.

LIVERPOOL, Dec. 10.—The principal news from Portugal relates to a mission of Col. Hare to Don Miguel at Santarem. This gentleman is a sort of deputy negotiator on the part of the British Government, and there can be no doubt that he has gone to sound Miguel as to the possibility of putting an end to the wretched war, or rather *raid*, which is wasting the resources of Portugal.

It appears (says the Liverpool Chronicle,) that the offence of Taipa is the publication of a letter to Pedro, in which he denounced the proceedings of the Ecclesiastical Commission for the suppression of Religious Houses. The letter was couched in strong language, and applied the terms "Pope," and "Pro-fane Counsellor" to the President of the Court. This led to his being represented as an agent of Miguel, and a warrant was immediately issued for his apprehension. The Peers are more enraged than ever at the terms of the ministerial reply to their address, and when the Ann Paley sailed, they were met for the purpose of preparing a still more urgent remonstrance.

GALE.—A severe gale was experienced on the coast of England, Nov. 30th, the wind blowing from W. N. W. Several vessels were lost, and many others damaged.

Dreadful Shipwreck.

LIVERPOOL, Dec. 21.—On Sunday last, Messrs. Watson and Pim, the owners of the Lord Blayney sent out a steamboat to examine the banks and shore near which she was lost, and if possible to pick up part of the wreck. Not a single article of any kind could be found, and the steamer returned into port without having gained the least information as to the causes or circumstances of the disaster. The manifest of the vessel has since been received from Newry, and it furnishes more particular information as to the number of passengers, and the amount of

property on board. The number of individuals on board, including those who belong to the vessel was FORTY-SEVEN; the names and descriptions are as follows:—Capt. Stewart, R. N. commander; Stephen Roberts, chief mate; James Smith, second mate; Wm. Darlington, first engineer, (body found); Matthew Stanton, second engineer; Mark Quilleash, steward, T. Tobin, cook. The remainder of the hands are not given, as their names are uncertain. The only cabin passenger known to have been on board was Mrs. Robert Purdon, of Newry; only one deck ticket was issued—to Mr. Polin, body found. There was a person named James Gordon, with a man servant on board, and a race-horse called Mounteagle, valued at £300, which was lost. The names of the other passengers, who were dealers in pigs, are as follows:—O'Hear, P. McCoy, P. Hanlon, P. O'Hear, and another, D. Gorman, H. Dunn, James Cassidy, O'Kenry, P. Trainor, O'Rice, J. Duffy, M'Larkins, P. Rice, H. Hughes, Conisky, P. Clarke, J. Quigly, P. Evers, J. Sloan, M'Anulty, P. Dunn, Fenan, Hanlon, W. Sommerville, M'Ardle, (uncertain.)

[From the Baltimore American.]

A letter from Captain VOORHEES, of the United States ship John Adams, dated at Liberia, Dec. 14, and giving a favorable account of the condition of the American Colony, has been published in the National Intelligencer. It is furnished for publication by the Secretary of the Colonization Society, to whom it had been transmitted by Secretary Woodbury as a valuable testimony to the flourishing condition of the settlement. All seemed to be employed—good order and morality prevailing throughout. Several stone warehouses and stone wharves line the banks of the river; others are building, which, with several schooners loading and unloading, or repairing, afford an aspect and an air of business common to a respectable white population. The town is in a thriving condition, and wears an air of neatness and comfort in the dwellings which is quite surprising. Capt. Voorhees adds: "The settlement must move onward, and with all its disadvantages, it appears a miracle that it should be in such a state of advancement."

The vessels at the place, during the last year, were about ninety. An incident is related in the letter, which, while it reflects credit on the humanity and disinterestedness of the colonists, affords a strong corroboration of the importance of the settlement as a place of refuge on the coast for distressed and shipwrecked Europeans. A French oil ship was lately cast away at the coast of Grand Bassa, and the crew, twenty in number, reached that place in distress. They were kindly received by the settlers, and travelled safely along the sea shore to Monrovia. There the colonists with generous hospitality fitted out an expedition, at their own expense, and despatched the government schooner to carry the sailors to their own settlement at Goree. This generosity was the more praiseworthy because the voyage of this vessel on the errand of humanity prevented the Colonists from procuring their requisite supply of rice, and for the want of which they suffered. On the arrival of the John Adams, a French man-of-war barque was in port, which had been despatched by the Governor of Goree to express the gratitude of his countrymen to the people of Liberia for their charitable services.

HOME INTELLIGENCE.

We are requested to state, that the Delaware is again free from ice. The steam boat Burlington, of the Rail Road Line, came up from Philadelphia to Bordentown yesterday, making now an uninterrupted communication between this city and Baltimore, at Summer prices.

SHIPWRECK.—The brig *Anna Margaret*, of and from Charleston, S. C. to Havana, was totally lost on Abaco on the 15th ult. Officers and crew saved.

A VALUABLE DOG, belonging to a gentleman of Gettysburgh, Pa. a few days since, fell into a well which was fifteen feet deep to the water. A rope was thrown to him, which he immediately seized with his mouth, and held on, until he was hoisted to the top in safety.—[Phila. Daily Adv.]

Appointments by the Governor and Senate, February 5, 1834.

New York.—Isaac Adriance, John G. Atterbury, Timothy P. Bruger, John Boyd, William H. Bogardus, Isaac O. Barker, John T. Barten, Horton H. Bur-

lock, Franklin Brown, Abner Benedict, William H. Bulkley, Henry L. Clarke, Philip S. Crooke, James W. Carr, Lebeus Chapman, Anthony Carrol, Washington Cockle, Alfred Colvill, Jacob G. Dyckman, Jary Dunn, Peter De Witt, John Fairlie, Lambert M. Feltus, George W. Giles, Neil Gray, Robert Giles, jr. William Gracie, Adolphus N. Gouverneur James Lorimer Graham, Dayton Hobart, Samuel V. Hoffman, Philip Hamilton, William P. Hawes, Joseph Hyde, Charles G. Havens, Henry Hutchinson, Robert L. Jaques, Daniel P. Ingraham, Ambrose Kirtland, William Lowrerre, Robert C. Ludlow, John M. Lester, James Lozier, Livingston Livingston, William Lee Morris, William H. Muxwell, Jeremiah Miller, jr. Jonathan Miller, Charles B. Moore, Cornelius Nagle, Alanson Nash, Henry N. coll, Jesse Dingley, Thomas O'Conner, Richard M. Popham, Ebenezer Palmer, Peter Pinckney, Cornelius Roosa, Daniel Phoenix Riker, Richard A. Reading, Thomas Jefferson Smith, Edward Sanford, Charles W. Sanford, Wm. H. Smith, William S. Sears, David B. Shepard, Reuben Spencer, Alfred A. Smith, Thomas G. Smith, John N. Taylor, Thomas W. Tucker, Thomas Alp Thomas, George N. Titus, Garret G. Van Wagener, James J. M. Valentine, Samuel Van Wyck, Dow D. Williamson, William C. Wetmore, Peter Wilson, Andrew Warner, William G. Wood, Uriah E. Wheeler, Alfred A. Weeks, David E. Wheeler, William D. Waterman, Ebenezer Whiting, Samuel Warford, Isaac Young, and Charles E. Young, commissioners of deeds.

[The above list of commissioners, with those heretofore appointed, completes the number of 100 for the city of New York.

John Ahern, George F. Allen, Richard M. Blatchford, Robert Bogardus, Frederick W. Burke, John Bulkley, John A. Bogart, George C. Baldwin, Ebenezer Burrill, Thomas S. Brady, David M. Cowdrey, John D. Campbell, Gerardus Clark, Charles A. Clinton, George D. Cooper, Peter A. Cowdrey, Charles T. Cromwell, George Catlin, Thomas W. Clerke, Thomas N. Campbell, William N. Dyckman, Robert Day, William E. Dunscomb, John A. De Russey, John T. Duryce, Walter Edwards, Charles Edwards, Augustus Floyd, Morris Franklin, Henry P. Feltus, John Lorimer Graham, James W. Gerard, Thomas Goin, Andrew S. Garr, Francis Griffin, William G. Haydock, David Higgins, Henry W. Havens, Franklin S. Kinney, Cornelius V. S. Kane, Joseph Leonard, John R. Livingston, jr., Henry Laight, Jacob Morton, John F. Mitchell, Montgomery Moses, Peter S. Marselis, Jas. W. McKeon, Solomon Melvin, John H. Magher, E. T. Throop Martin, Wm. O'Brien, Charles Oakley, Horatio G. Prall, Adam G. Pentz, Isaac Phillips, Wm. Poole, Samuel A. Porter, Anthony Rappells, Edward Radcliff, Samuel Stansbury, James B. Sheys, Wm. Soul, Thomas Slidell, Edward H. Seeley, Daniel B. Tallmadge, Francis R. Tillou, Wm. N. Titus, William K. Thorn, Edward N. Taylor, Wm. Van Hook, Wm. W. Wagener, John G. Van Buren, Joseph Wallis, Stephen C. Williams, Richard J. Wells, Harman Westervelt, Henry Wilkes, Joseph Woodward, and Caleb S. Woodhull, notaries public.

Thomas J. Shankland, inspector of domestic distilled spirits.

Naval.—The Brandywine frigate, and the sloop of war Falmouth, both at our navy yard, are under sailing orders. Their destinations are not generally known; but conjecture destines one to Europe with a *Plenipo*, and the other to relieve a ship in the Mediterranean. Much depends upon the proceedings of the Senate of the United States, before which body business of importance is pending.—[Gazette.]

CONGRESS—Thursday.—The following business was acted on this week.

Memorials were presented by Mr. Beardsley and Mr. Hard, praying Congress to provide for the construction of a Ship Canal around the Falls of Niagara.

Mr. Galbraith presented a memorial of a Convention of Delegates from Pennsylvania and New York assembled at Warrenton, (Pa.) on the 24th ult. praying Congress to provide for the improvement of the navigation of the Alleghany from Pittsburg to Olean Point—also a petition from inhabitants of Pennsylvania to the same effect—referred to the Committee on Roads and Canals.

Mr. Turrill—a petition for an appropriation for the improvement of the harbor of Sackett's Harbor; and

Mr. Day—from the inhabitants of Cayuga county to improve the navigation at the entrance of Little John's Bay, Lake Ontario—referred to the Committee on Commerce.

Mr. *Stearns*, a petition of inhabitants of Buffalo, and of inhabitants of Detroit, for an appropriation for the construction of a harbor at the mouth of Chagrin river, Lake Erie.

Mr. *Lyons* presented a memorial of a general Convention of delegates held at Jonesville, the 6th ultimo, for the purpose of adopting measures preparatory to opening a communication between Lakes Erie and Michigan, by means of a Railroad across the peninsula between those Lakes; praying that a route for said Railroad may be surveyed by United States Engineers; and that Congress will make an appropriation to aid its construction—which were appropriately referred.

Mr. *Hazeltine*—the petition of sundry inhabitants of Chataque, Cattaraugus, and Erie, for an appropriation to be made for the construction of a beacon light at the mouth of Silver Creek harbor, on Lake Erie—which was referred to the committee having charge of the bill for the construction of light houses, &c.

Report of the Committee on Finance on the Removal of the Public Deposites, in the Senate of the U. S., Feb. 5, 1834.

THE Committee on Finance, to whom was referred the report of the Secretary of the Treasury, of 3d of December, 1833, on the removal of the public depositories from the Bank of the United States, and a resolution, submitted to the Senate by an honorable member from Kentucky, declaring that the reasons assigned by the Secretary for the removal of the said depositories, are unsatisfactory and insufficient, have agreed on the following report:

The act incorporating the Bank of the United States, as is justly remarked by the Secretary, is a contract containing stipulations on the part of the Government, and on the part of the corporation, entered into for full and adequate consideration.

The Government became party to this contract by granting the charter, and the stockholders by accepting it. "In consideration," says the charter, "of the exclusive privileges and benefits conferred by this act on the said bank, the president and directors thereof shall pay to the United States, out of the corporate funds thereof, one million and five hundred thousand dollars, in three equal payments;" and in another section, it declares that "during the continuance of this act, and whenever required by the Secretary of the Treasury, the said corporation shall give the necessary facilities for transferring the public funds from place to place, within the United States or the Territories thereof, and for distributing the same in payment of the public creditors, without charging commissions, or claiming allowance on account of difference of exchange; and shall do and perform the several respective duties of the commissioners of loans for the several States, or any one or more of them, whenever required by law."

The section immediately following this provision, is in these words: *And be it further enacted*, That the depositories of the money of the United States, in places in which the said bank and branches thereof may be established, shall be made in said bank or branches, unless the Secretary of the Treasury shall at any time, otherwise order and direct; in which case the Secretary of the Treasury shall immediately lay before Congress, if in session, and if not, immediately after the commencement of the next session, the reasons for such order or direction."

It is not to be denied or rebutted, that this custody of the public depositories was one of the "benefits" conferred on the bank by the charter, in consideration of the money paid, and the services undertaken to be performed

by the bank to the Government; and to this custody the bank has a just right, unless such causes have arisen as may have justified the Secretary in giving an order and direction for changing that custody. Any order or direction, therefore issued under the provisions of this law, necessarily involves a consideration of the just extent of the Secretary's power and of the rights of the bank.

But Congress, in making this provision, unquestionably had in view the safety of the public funds, and certain important financial objects, as well as the making of a just consideration to the bank, for the sum paid, and the services undertaken by it; and with this view, also, it has expressed its will, that the depositories shall continue to be made in the bank, until good cause shall arise for ordering otherwise. Of this good cause, the Secretary of the Treasury, in the first instance, and Congress, ultimately and conclusively, is constituted the judge. Every order, therefore, of the Secretary for changing the depositories presents for the examination of Congress, a question of general political propriety and expediency, as well as a question of right and obligation to the bank.

These questions may be considered together. They are intimately connected; because the right of the bank to retain the depositories, and to enjoy the advantages to be derived therefrom, cannot be denied, unless a case is shown to have arisen within the just power of removal, vested in the Secretary, and which made it his duty to exercise that power. The Secretary is only to remove the depositories for reasons. Of these reasons he is to give an account to Congress; if they be insufficient to justify the removal, the bank has a right to a return of the depositories, and the country has a right also, to expect that, in that case, the public treasure will be restored to its former place of safety.

The Secretary having removed the depositories, and having reported his reasons to both Houses, the whole subject is now before Congress, by way of appeal from his decision; and the question is, whether that decision ought to stand, or ought to be reversed.

The power of the Secretary under the law, is evidently but provisional. It is a power which he may exercise in the first instance, but the propriety of his conduct, in every instance, of its exercise, is ultimately referred to the wisdom of Congress, and by Congress it must be judged. He is authorized to do the act, but Congress is to examine it when done, and to confirm or reverse it. The Secretary may change the depositories, but when changed, Congress is to decide on the causes of such change, with authority either to sanction the removal, or to restore the depositories, according to its own judgment of right and expediency.

In order to decide whether the act of the Secretary ought to be confirmed, it is requisite in the first place, to form a just opinion of the true extent of his power, under the law; and, in the second place, to consider the validity of the reasons which he has specially assigned for the exercise of that power, in the present case.

The opinion of the Secretary is, that his power over the depositories, so far as respects the rights of the bank, is not limited to any particular contingencies, but is absolute and unconditional. If it be absolute and unconditional, so far as respects the rights of the

bank, it must be absolute and unconditional in all other respects; because, it is obvious, if there be any limitation, that limitation is imposed as much for the benefit of the bank as for the security of the country. The bank has contracted for the keeping of the public moneys, and paid for it, as for a privilege or benefit. It has agreed, at the same time, that the Secretary shall possess the power of removal; but then, it is also agreed, that whenever this power is exercised, the reasons therefor shall be reported to Congress; Congress being thus constituted the final judge, as well of the rights of the bank, in this particular, as of the good of the country. So that if the Secretary's power be in truth absolute and unconditional, it restrains Congress from judging whether the public good is injured by the removal, just as much as it restrains it from judging whether the rights of the bank are injured by the removal; because the limitation, if any, is equally for the security of the bank and of the public.

If the bank is interested in retaining the depositories, then it is interested in the truth or falsity, in the sufficiency or insufficiency, of the reason given for their removal. Especially is it so interested, since these reasons are to be rendered to a tribunal which is to judge over the Secretary, and may form a different opinion on the validity of these reasons, and may reverse his decision. It clearly has an interest in retaining the depositories, and therefore is as clearly concerned in the reasons which the Secretary may give for their removal. And as he is bound to give reasons, this very circumstance shows that his authority is not absolute and unconditional. Because, how can an appeal be given from the decision of an absolute power; and how can such a power be called on to give reasons for any instance of its exercise? If it be absolute, its only reason is a reference to its own will.

The committee think, therefore, that no absolute and unconditional power was conferred on the Secretary; that no authority was given him by which he could deprive the bank of the custody of the public moneys without reason; and that therefore, his opinion is not to be admitted; that in no event can any order for removing the depositories impair the right secured to the bank by the charter. If removed without good cause, the committee think the removal does impair the rights of the bank.

But the opinion of the Secretary as to his own powers, is hardly more limited in respect to the Government and the country, than in regard to the rights of the bank.

His opinion is, that it is his duty, and within his authority, in this view, also to withdraw the depositories of the public money from the bank, whenever such a change would, in any degree, promote the public interest. "The safety of the depositories," he says, "the ability of the bank to meet its engagements, its fidelity in the performance of its obligations, are only a part of the considerations by which his judgment must be guided. The general interest and convenience of the people must regulate his conduct."

By the general interest and convenience of the people, the Secretary can only mean, of course, his own sense of that interest and convenience; because they are not otherwise to be ascertained than by his own judgment.

The Secretary's construction of the law is therefore, that he has power to remove the deposits, whenever, for any reason, he thinks the public good requires it.

In this interpretation of the design and object of the law, and this broad construction of the Secretary's power, the committee cannot concur.

Although the power of the Secretary is not restricted by any express words or terms, nor by any particular occasions for its exercise, specially and expressly designated or prescribed by the law, yet it is not to be admitted, as the committee think, that this power is to be exercised capriciously, or in an arbitrary manner, or for loose or conjectural reasons, or on any idea of an unlimited discretion, vested in the Secretary, to judge on the general question of the public welfare; or, indeed, on any other grounds than those of necessity, or plain and manifest expedience, directly connected with the subject over which the power exists.

The keeping of the public money is not a matter which is left, or was intended to be left at the will of the Secretary, or any other officer of the Government. This public money has a place fixed by law, and settled by contract: and this place is the Bank of the United States. In this place it is to remain, until some event occur requiring its removal. To remove it, therefore, from this place without the occurrence of just cause, is to thwart the end and design of the law, defeat the will of Congress, and violate the contract into which the Government has solemnly entered.

It is fit to be observed, that no other law confers on the Secretary such a wide discretion over the public interests, in regard to any subject, or gives him a power to act on the rights of others, or on the rights of the public, in part of his official duties, with so unlimited an authority as is here asserted. Every where else, he appears in the character of a limited and restricted agent. He is the financial officer of the government; he is the head of the department of the treasury. His duty is, to report annually to Congress the state of the finances, and to communicate to either house, when requested, any information respecting the Treasury; and he is to superintend the collection of the revenue. But he has no authority over the circulating medium of the country, either metallic or paper, nor has he the control of the national currency. It is no part of his duty either to contract or expand the circulation of bank paper, nor in any other way to exercise a general superintendence over the money system of the country. These general interests of the government and the people are not confided to his hands by any of the laws which created his office, and have prescribed his duties—and the committee are of opinion, that the charter of the bank no more intended to give such a wide scope to the Secretary, in regard to the deposits, than other laws intended to give him the same wide scope, in respect to other duties of his office. No intimation of such intention is found, either in the charter itself or in any of the legislative debates which took place in both Houses when the bank was established—or in the discussions which have been had on the various occasions which have been more recently presented for calling forth the sentiment of Congress. In none of these sources, is there to be found any proof that the legislature has delegated, or

intended to delegate, this extraordinary power of judging of the general interest of the people, to the Secretary of the Treasury. Such a power, did he possess it, would necessarily make him the general superintendent of all the proceedings of the bank—because it would enable him to compel the bank to conform all its operations to his pleasure, under penalty of suffering a removal of the public moneys. This would be little less than placing all the substantial power of managing the bank, in his hands. But he is not by law its manager, nor one of its managers—nor has he any right, in any form, to interfere in its management. On the contrary, the very language of the charter rejects all idea of such general supervision over its concerns by him, or any other officer of government. That language is, that "*for the management of the affairs of the corporation*, there shall be twenty-five directors annually chosen;" and, under the restrictions contained in the charter, these directors are entrusted with the whole general business of the bank, subject, of course, to all the provisions of the charter and the by-laws; subject, too, always, to the inspection and examination of either house of Congress; subject always to regular inquiry and trial, and bound always to communicate to the head of the treasury department, on request, statements of its amount of stock, debts due, moneys deposited, notes in circulation, and specie on hand.

Under these restrictions, the establishment of its offices, and the appointment of its officers, the amount of its discounts; its purchases and sales of exchange, and all other concerns of the institution, are to be conducted and managed by the directors. There is nothing in the charter, giving the slightest authority to the Secretary to decide, as between the bank on the one hand, and the government or the people on the other, whether the general management of the directors is wise or unwise, or whether in regard to matters not connected with the deposits, it has or has not violated the condition of its charter.—The statement which the bank is bound to make to the Secretary, he may lay before Congress; and he is doubtless bound, by his official duty, to communicate to Congress any other information in his possession, tending, in his judgment, to show that the bank has disregarded its charter, or failed to fulfil all or any of its duties. But here his authority, so far as it regards the general course and operations of the bank, ends. It is then for Congress to act, if it see occasion, and to adopt the regular remedies, for any evils which it may suppose to exist. But it transcends the power of Congress itself to pronounce the charter violated, without hearing, without trial, without judgment, far less is any such power, of pronouncing final judgment confided to the Secretary. His power simply is, that in regard to the deposits of the public money, he is to judge, in the first instance, whether just cause has arisen for their removal.

The Secretary seems to suppose, indeed the very basis of his argument assumes, that the law has confided to him a general guardianship over the public welfare, so far as that welfare is in any way connected with the bank, or liable to be affected by its proceedings; and that he holds the power of the removing the deposits as the means, or instrument by which he is to enforce his own opinions respecting that welfare. The committee do not adopt this

opinion. They think that if such had been the design of the law, its provisions would have been different from those which it does actually contain.

If such general guardianship had been intended to be conferred on the Secretary, it is reasonable to believe that he would have been vested with powers more suitable to such a high trust. If he had been made, or intended to be made, general inspector or superintendent, other authority than merely that of removing the deposits, would have been given him, for this plain reason, that the government and the country have interests of much magnitude connected with the bank, besides the deposits of the public monies in its vaults, and to which interests if endangered, the removal of the deposits would bring no security.

The government is proprietor of seven millions of the stock of the bank, and yet no authority is given to the Secretary to sell this stock under any circumstances whatever, or in any other way to interfere with it.

The bill and notes of the bank, too, are made receivable in all payments to the United States until Congress shall otherwise order: and no power is given to the Secretary to prevent their being so received, either during the session of Congress, or in its recess, however the credit of these bills and notes might become depreciated.

How is it possible to conceive that, if Congress intended to give to the Secretary a general right to judge of the operations and proceedings of the bank, and a power, of course, to declare when it had violated its duty, and was no longer trustworthy, it should yet leave him under an absolute obligation to receive its bills and notes in all payments to the Treasury, though they might have lost all credit, and place no means in his hands to execute his high authority of superintendent, except the mere power of removal.

Wherever it is clear that Congress has given the Secretary a power, it has given him the means of informing his judgment as to the propriety of exercising that power. He has power to remove the deposits, and ample means are afforded him by which he may learn, from time to time, whether those deposits are safe. For this purpose, it is expressly made the duty of the bank to furnish him, so often as he shall require, if not oftener than once a week, with a statement of the amount of the capital stock of the corporation, of the debts due to it, of the moneys deposited in it, of its notes in circulation, and specie on hand, and he has a right to inspect the general accounts, in the books of the bank, relating to this statement. This statement enables him to judge of the solvency and stability of the bank, and of the safety of the public money deposited in it.—Here, then, is a power, and all appropriate means given for the just and enlightened exercise of that power. Confined to the deposits, the power is accompanied with all rational auxiliaries and attendants.

But for the depreciation of the bills of the bank, should that happen, and for other cases of maladministration, Congress has provided just and appropriate remedies, to be applied by itself or others, in exclusion of the Secretary.—For redress of these evils, no power is given to him.

For the security of the public interest, the law reserves a right to either House of Congress, to inquire at all times, into the proceedings of the bank, and if, on such inquiry, it appears in any respect to have violated its charter, Congress may bring it to trial and judgment. Power is given to the President, also, to institute judicial proceedings, if he shall have reason to believe that any such violation has taken place. But no such power is given to the Secretary.

The proposition, then, cannot be maintained, that Congress has relied, for the security of the public interest, and the preservation of the general welfare, so far as it is connected with the

bank, on a general discretion, reposed in the Secretary: for two reasons, first, because it has not given him the appropriate instances: and secondly, because it has, in those instances, either expressly reserved those powers to itself, or expressly conferred them on the President.

If the Secretary cannot prevent the notes of the bank from being received at the custom house, and the land offices, even after they should be discredited; if he have no power to touch, in any way, the seven millions of stock belonging to the Government; if the power of examination into the proceedings of the bank be given, not to him, but to either House of Congress; if he have no power, but Congress and the President, each has power, to direct a legal investigation into the conduct of the bank; how can it possibly be maintained that a general inspection and guardianship over the public welfare, so far as it is connected with the bank, is confided to him, and that his authority to remove the deposits, was given, not to protect the deposits themselves, and secure their proper use, but to enable him to enforce upon the bank, under penalty of their removal, such a course of management, as his sense of the public interest, and the convenience of the people, may require? Such a construction would give the law a strange and an undeserved character. It would convert the power of removal, intended for remedy and redress, into a mere instrument of punishment; and it would authorize the infliction of that punishment without hearing, or trial, in the very cases in which the law yet says, that if violation of duty be charged, the charge shall be heard and tried before judgment is pronounced, and the duty of preferring this charge, and of prosecuting it to judgment, is given, not to the Secretary, but to Congress, and to the President.

The contingent power given to the Secretary to remove the deposits, evidently shows that Congress contemplated the possibility of the happening of some sudden evil, for which, either no other remedy was provided, or none which could be applied with sufficient promptitude; and for which evil removal would be a just and appropriate remedy. The remedy prescribed, then, teaches us the nature of the evils which were apprehended. We can readily understand that threatened danger to the funds was one, and probably the chief of those evils; because change into other hands is the ready and appropriate measure, which would rationally suggest itself to all minds, as the proper security against such danger; and change is the remedy actually prescribed. Neglect to transfer the deposits from one place to another, as the exigencies of Government might require, and thereby to furnish those facilities of exchange, which the charter demands of the bank, without commission and without charge, is another evil for which, should it happen, the remedy would naturally be the withdrawing of the funds, and the placing of them in their former custody, so that they could be transferred or exchanged by the Treasury itself.

But who can see any connexion or relation, such as ordinarily exists between an evil apprehended, and a remedy proposed—between such an evil as a supposed over discount, for instance, by the bank, at one time, or an under discount at another, and the abrupt removal of the deposits? And if no one can see the connexion, how can it be supposed that, in giving the power of removal as a remedy, Congress had in view any such evil?

A question may arise between the Government and the bank, respecting the right of the parties to the sum of one hundred and fifty thousand dollars, as in the case of the French bill.

It is a question on which different opinions may be entertained, and which is, in its nature, fit for judicial decision. Does any man imagine that such a case as this was in the eye of Congress, when they granted the power of withdrawing the whole public treasure from

the Bank? Can it be for one moment maintained, that Congress intended that, in such a case, the Secretary should compel the bank to adopt his own opinion by the exercise of a power, the very exertion of which deranges the currency, interferes with the industry of the people, and, under some circumstances, would hazard the safety of the whole revenue?

The Committee think it cannot admit of rational doubt, that if Congress had intended to give to the Secretary any power whatever, not directly touching the deposits themselves, not only would it have specially pointed out the cases, but it would also, most assuredly, have provided a remedy more suitable for each case. The nature of the remedy, therefore, which is prescribed, clearly shows the evils intended to be provided against.

To admit the Secretary's conduct is subject to no control but his own sense of the general interest and convenience of the people, is to acknowledge the existence, in his hands, of a discretion so broad and unlimited, that its consequences can be no less than to subject, not only all the operations of the bank and its offices, but its powers and capabilities, perhaps its very existence, to his individual will. He is of opinion that the law creating it is in many of its provisions unconstitutional; he may not unreasonably, therefore, esteem it to be his duty to restrain and obstruct to the utmost of his power the operations of those provisions, thus deemed by him to be unconstitutional. He is of opinion that the existence of such a powerful moneyed monopoly, is dangerous to the liberties of the people. It would result from this, that if in the discharge of his official duty, he is to follow no guide but his own sense of the interest of the people, he might feel bound to counteract the operations of this dangerous monopoly, diminish its circulation, curtail its means, and prejudice its credit. To accomplish these very purposes, and these alone, he might withdraw the deposits. The power given him by Congress, would thus be used to defeat the will of Congress in one of its most important acts, by discrediting and otherwise injuriously affecting an institution, which Congress has seen fit to establish, and which it has declared shall continue with all its powers to the expiration of its charter.

The power conferred on the Secretary is a trust power, and like other trust powers, in the absence of express terms, setting forth the occasions for its exercise, it is to be construed according to the subject and object of the trust. As in other cases of the deposit of monies in Banks, the primary object sought to be accomplished by Congress, by that provision of the charter now under consideration, is the safe keeping of the money. The Secretary's trust therefore, primarily and principally, respects this safe keeping. But another object is distinctly disclosed in the charter, which object is intimately connected with the fund, and that is its transfer and exchange from place to place, as the convenience of Government might require. The Secretary's trust, therefore, respects also this other object thus connected with the fund; and when either of these objects requires a removal, a removal becomes a just exercise of his authority. To this extent, none can doubt the existence of his power. If, in truth, the money is believed to be unsafe, if, in truth, the Bank will not grant the facilities which it has promised, in consideration of receiving and holding the fund, then, certainly, it ought to be removed. But here the power must stop or else it is altogether unbounded. Here is a just and reasonable limit, consistent with the character of the power, consistent with the general duties of the Secretary, and consistent with the nature of the remedy provided.

The charter of the Bank is the law; it is the expressed will of the Legislature. That will is, that the Bank shall exist, with all its powers, to the end of its term. That will,

too, as the committee think, is, that the public deposits shall continue in the Bank, so long as they are safe, and so long as the bank fulfils all its duty in regard to them. The Secretary assumes a broader ground. He claims a right to judge of the proceedings of the bank on all subjects. Admitting the fund to be safe, and admitting that the bank has performed all its duties in regard to it, he claims an authority, nevertheless, to remove the deposits whenever he shall form an opinion, founded on the conduct of the Bank, in any particular whatever, and however unconnected with the public monies, that the general interest of the people requires such removal. If, in his opinion, it discounts too little, or discounts too much, if it expands or contracts its circulation too fast, or too slow; if its committees are not properly organized; if it claim damages on protested bills, which it ought not to claim; if, in his opinion, still, it is guilty of a wrong meddling in politics, or if it do any thing else, not consistent with his sense of the public interest; he has a right to visit it with a withdrawal of the public money from its custody.

If this claim of power be admitted, it would seem to the Committee to be a fair result that the Secretary has power to withdraw the deposits, for no other reason than that he differs with Congress upon its constitutional authority to create any bank, or upon the constitutionality of this particular bank, or upon the utility of continuing it in the exercise of its chartered powers and privileges, till its term shall expire.

The committee, therefore, are of opinion, that it was not the intention of the Legislature to give to the Secretary of the Treasury a general guardianship over the public interests in all matters connected with the Bank; but that his power is a limited one, and is confined to the safety, and proper management of that portion of the public interest to which it expressly relates, that is to say, to the public monies in deposit in the Bank.

But the extent of the Secretary's discretion, as asserted by himself, reaches even farther than the wide range which the committee has here described. It is not confined to the protection of all the various interests which the Government of the country have in the bank, or to a supervision and control over all the conduct of the bank, but it embraces all branches of the public interest, and touches every thing which in any way respects the good of the people.—He supposes himself rightfully to possess the power of removing the deposits whenever any causes, springing up in any part of the whole wide field of the general interest, may appear to him to call for such removal. Notwithstanding he may suppose all the great interests confided to the bank to be perfectly safe; notwithstanding he may have no occasion to complain of any part of its conduct; notwithstanding, even, it may so have demeaned itself as to have become the object of his favor and regard; yet, if his construction be admitted, he may remove the deposits simply because he may be of opinion that he might place them, with a prospect of still greater advantage, in other hands. If he be of opinion that the commerce of the country, or its manufactures would be benefited by withdrawing the public money from one bank and placing it in many, that would be an exercise of authority entirely within the limits which he prescribes to himself. It would be a case in which he would only follow his own sense of what the general interests and convenience of the people required. He might think, too, that by withdrawing all the public treasure from the Bank of the United States, and placing it in the hands of twenty or thirty State banks, to remain there during his pleasure, and to be drawn thence, again, at his will, he might be enabled effectually to advance certain other objects, which, whatever others might think of them, he might

consider to be essential to the good of the people. All this, if he be right, is within his just authority. A power, necessarily running to this extent, is a power, in the opinion of the committee, which can never be admitted.

Having thus expressed an opinion upon the general extent of the power claimed by the Secretary, the committee proceed to consider the reasons which he has reported to Congress as the particular grounds on which the power has been exercised in the present case.

The first reason assigned by the Secretary, is the near approach of the period when the bank charter will expire. That period is the 4th of March, 1836, more than two years distant; nearly two years and a half at the time of the removal. Three sessions of Congress, are, in the mean time, to be holden; and inasmuch as the Secretary himself says that "the power over the place of the deposits for the public money would seem properly to belong to the legislative department of Government," the committee think it might reasonably have been expected by him, that Congress would not fail to make, in season, suitable regulations on a subject thus admitted to be within the just exercise of its authority, and properly one of its duties.

Why, then, should he not have waited till Congress had seen fit to act upon the subject, or had manifested a disposition not to act?—The matter of the deposits had been before Congress last session, and Congress had then thought no provision to be as yet necessary.—Its undoubted sense was, that the public moneys should remain where they were. This was manifested by proofs too clear to be questioned. Another session was fast approaching, and why was not the whole subject left where Congress had chosen to leave it at the end of its last session, to await the free exercise of its legislative power at this session? It might have been fit for the Executive to call the attention of Congress, at this time, to the necessity of some legal provisions respecting the future custody of the public moneys; and it would doubtless have been proper for Congress, without such call, to take up and consider the subject at its own suggestion; but the committee see no reason whatever, in the approaching expiration of the charter, for a change so sudden, and producing such important effects, made so long before that expiration, at a time when Congress had recently had the subject before it; and when, too, it was again about to assemble, and would naturally have reasonable and full opportunity to adopt any necessary legislative provisions.

The Secretary has stated no reason satisfactory to the Committee, for not deferring this important step until the meeting of Congress. He sets forth no emergency, no sudden occasion, nothing which, in their judgment, made immediate action by him necessary.

The Secretary supposes it to have been his duty to act on the belief that the bank charter would not be renewed; and he refers to recent popular elections in support of this opinion.—The Committee believe it altogether unusual for reasons of that kind to be assigned for public and official acts. On such subjects, opinions may be very various. Different and opposite conclusions may be drawn from the same facts by different persons. One man may think that a candidate has been elected on account of his opposition to the bank; another may see, only, that he has been chosen, notwithstanding such opposition. One may regard the opposition or the support of any measure, by a particular candidate, as having been, itself, a promoting cause of the success of his election; another may esteem it as a formidable objection, overcome, however, by more powerful reasons; and others, again, may be of opinion that it produced little or no effect on the one side or the other. But if inferences, less uncertain, could be drawn from such occurrences, the committee still think, that for a public officer to presume what

law the Legislature will or will not pass respecting matters of finance, from the election of a particular person to be Chief Magistrate, implies a consequence from such election which the constitutional independence and dignity of the Legislature do not allow to be admitted.

But if for this, or other reasons, the Secretary had persuaded himself that the charter of the bank would not be renewed, still, it certainly did not follow that the deposits ought to be removed before Congress had decided on the hands into which they should be transferred, and had made suitable regulation respecting their future custody. If there were good ground for thinking that Congress would not re-charter the bank, for that very reason there was equally good ground for supposing that it would make proper and suitable provision for the keeping of the public monies elsewhere. How could the Secretary doubt that Congress would omit to do that which he avers to be one of its appropriate duties? The question is, not what measures Congress might be expected to adopt—whether the re-chartering of the bank, or what other measures; but whether it ought not to have been presumed that it would adopt some measure, and that a seasonable and proper one, according to its power and its duties; and whether, therefore, this anticipation of the action of Congress, on the eve of its session, is to be justified.

The bank charter declares that the deposits of the public money shall be made in the bank and its offices, and that the bank shall continue till March, 1836. Where does the Secretary find his power to decide that the deposits shall be so made but for seventeen years from the date of the charter, instead of twenty? If he may thus withdraw the deposits two or three years before the expiration of the charter, what should restrain him from exercising the same authority five years before its expiration, or ten years? A plain and cogent necessity, the existence of a case which admits of no reasonable doubt, and which is too urgent for delay till Congress can provide for it, can alone justify an interference with the public monies lodged in the bank by law for the double purpose of safe keeping, and fulfilment of solemn contract.

But supposing it not reasonable for the Secretary to have expected the interposition of Congress, and admitting that he might consider the withdrawing of the deposits as an act which was to be done at some time by himself, how can it, nevertheless, be argued that so early and so sudden a withdrawal was necessary? The Committee can perceive no possible reason for this in any state of facts made known to them.

The withdrawal of the money left on deposit from a bank whose charter is about to expire, is naturally one of the things longest postponed. It is as safe the last day of the existence of the bank, in common cases, as at any previous period. The bank expects the recall of its deposits near the period of its expiration, and prepares itself accordingly. The operation, if made gradually, produces, when thus conducted, the least possible disturbances in the business of the community. Former experience would seem to have held out a salutary light for the guidance of the Secretary in this part of his official duty.

At the time of the expiration of the charter of the former bank, Mr. Gallatin was Secretary of the Treasury, and the public deposits were in the bank. The charter of the bank was to end on the 4th of March, 1811, and it does not appear that Mr. Gallatin thought it necessary to make any provision whatever for removing any part of the deposits, except by drawing on them for the common uses of government, until late in the very month preceding the expiration of the charter. A large amount of those deposits remained, indeed, in the vaults of the bank after its charter had expired, and until they were wanted in the general operations of the Treasury. And why

should it be otherwise? Why should that be done suddenly now which the Secretary thinks could not be done suddenly hereafter, without great inconvenience? Is it not the just inference, from his own argument, that the thing should not have been done suddenly at all? As to the idea, that the credit of the paper of the bank will be depreciated, near the time of the expiration of its charter, or that it would be inconvenient for it, at that time, to be called on for the deposits, the committee are utterly at a loss to see the slightest foundation for such an opinion. Experience is against it; and all reason, as the Committee think, is against it also. There is nothing to render it in any degree doubtful, that the bills of the bank will be as good credit, the last day of its charter, and even after that time, if any shall be outstanding, as they are now; and there is as little to render it doubtful, that then, as now, the bank would be competent to answer all demands upon it. In the opinion of the Committee, the withdrawal of the fund was both unnecessarily early, and unnecessarily sudden. It might have been made gradual; it might have been deferred; and it might have been, and ought to have been, as the Committee think not ventured upon at all, until the attention of Congress itself had been called to the subject. The Committee therefore, entirely dissent from this first reason, reported by the Secretary. They see nothing which proves to them the existence of the slightest occasion for taking this important step, at the moment it was taken. So far as it depends on this reason, the Committee think the removal was made without necessity; without caution or preparation; with a suddenness naturally producing mischievous consequences, and in unjustifiable anticipation of the legislation of Congress.

But the Secretary thinks there are other reasons for the removal, growing out of the manner in which the affairs of the bank have been managed, and its money applied, which would have made it his duty to withdraw the deposits, at any period of the charter.

Of these reasons, thus arising from the alleged misconduct of the bank, the first is, that many important money transactions of the bank are placed under the control of a Committee of Exchange, of which Committee, no one of the public Directors, as they are called, is allowed to be a member, instead of being transacted by a Board of seven Directors.

This charge consists of two parts; first, that the discounts of bills are made by the committee; and not by a quorum of the board; second, that the public directors are not allowed to be of this committee.

First. It is not alleged that, in the discounts of bills by this committee, any indiscretion has been committed, or any loss incurred, or that in consequence thereof, any facility to the mercantile community has been withheld, or any duty of the bank to the Government violated. The objection is, simply, that bills are discounted by a committee. Supposing this to be an irregularity, or illegality, in the proceedings of the board, how is it to be corrected by withdrawing the deposits? What connexion is there between the two things? It is not pretended that this mode of discounting bills, endangered the deposits; it is not pretended that it made the bank either less able, or less willing, to perform every one of its duties to Government. How should the withdrawal of the deposits then be suggested, by the discovery of such an irregularity, real or supposed? The committee are not able to perceive the least propriety, in applying the power of removal, to a proceeding of this kind, even if it were admitted to be irregular or illegal. But is the practice illegal. It is believed to be not at all unusual? It is believed to be quite common, in banks of large business, for bills of exchange, which are presented every day, and almost every hour in the day, to be discounted either by a committee of the directors, or by the president, or even other officers; acting under such general or

ders and instructions as the directors, at their stated meetings, prescribe. A large board of directors cannot assemble every day, perhaps not oftener than twice a week. If bills of exchange could only be discounted at these periodical meetings the business of exchange could not go on with the promptitude and despatch so important to commercial men in such transactions.

The committee suppose the truth of these remarks will be at once admitted by all who have knowledge of business of this kind.

The general management and control, the authority of examining and supervising, of contracting or enlarging the amount of daily discounts, according to the state of the bank, and of giving every other order and direction on the subject, still remains with the directors, and is constantly exercised by them. They still manage the affairs of the bank, in the language of the charter, although they may depute to a committee the authority of inquiring and deciding upon the credit of persons whose names are on bills of exchange offered for discount, and on the rate of exchange, current at the day. The legal question would be, whether the directors, by rule or by law, may not authorize a small number of their own board to discount bills. The bank has been advised that it might rightfully do this; and if it be not clear that this opinion is right, it is certainly far from clear that it is wrong; and in this state of the question, the general practice of other banks, under similar provisions in their charters, may well relieve the directors from the imputation of intentional mismanagement.

If, in all this, the bank has violated its charter, what other banks of extensive business have not done the same thing?

But the other subject of complaint, and that which seems to be regarded as the more offensive part of this regulation, is, that the public directors, as they are called, were not allowed to be on this committee.

It may be observed, in the first place, that if the discounting of bills of exchange, by a committee instead of a whole board of directors, be illegal, it would hardly be rendered legal by placing any or all of these public directors on the committee as members. But the Secretary seems to suppose that there was some particular object in this exclusion of these directors, as if there had been something wrong to be done, and therefore secrets to be kept by this committee. It is not easy to see what foundation there can be for this opinion. All these discounts are matter of record. They appear every day in the books of the Bank. Every director, on or off the committee, sees them, or may see them, at pleasure. There is no secrecy, nor any motives for secrecy, so far as this committee can perceive. Very proper causes may have existed, for ought that can have been known by the Senate, for the omission of these particular directors from this particular committee. Their services might have been deemed more useful in other committees, or however respectable in general character, or however useful in other parts of the direction, they may have been esteemed not so well acquainted as others with the business of foreign and domestic exchange. And even if there were, or are other causes for the omission, such as tend less to prove the existence of that harmony and mutual respect which it is so desirable should prevail in such a board, these causes cannot furnish any just ground for asserting, either that the business of exchange was illegally conducted, or that the constitution of the committee was proof of the existence of any motive not fit to be avowed.

But the Secretary entertains an opinion respecting the character and duties of the directors appointed by the President and Senate, in which the committee do not concur. He denominated them "public directors"—"officers of the Government," &c.

By the charter, of the bank there are to be

twenty-five directors. Of those, twenty are to be chosen by the individual stockholders, and five appointed by the President, with the advice and consent of the Senate. As the Government owned one-fifth of the stock of the bank, it was judged expedient to place in the hands of the President and Senate the appointment of one-fifth of all the directors. But they are not called public directors, nor officers of the Government, nor public agents. Nor are they entitled, so far as the committee can perceive, to either of these appellations, any more than the other directors. The whole twenty-five directors are joint managers of a joint fund, each possessing precisely the same powers, and charged with the same duties as every other. They derive their appointments, it is true, from different origins, but when appointed, their authority is the same. There is not one word in the charter intimating, in the remotest manner, that the five directors appointed by the President and Senate have any particular duty, or are the objects of any particular trust. The charter calls them not Government directors, not public directors, but simply the directors appointed by the President and Senate. They are placed in the direction to consult with the other directors, for the common good of the bank, and to act with these others, and vote with them on all questions. They are, what the law calls them, directors of the bank, not agents of the Government. They are joint trustees with others, in a joint interest. If any thing illegal or improper takes place in the board, they are bound to resist it by the duty which they owe the individual stockholders, as much as by the duty they owe the Government; because they are agents of the individual stockholders, and have the same authority to bind them by their acts, as to bind the Government; and, in like manner, it is the duty of those directors who are appointed by the individual stockholders, to give notice, as well to Government as to the stockholders, if any thing illegal take place, or be threatened. All those directors act and vote together on the smallest as well as on the highest occasions; and by their joint votes, bind the corporation, and bind both the Government and individual stockholders to the extent of their respective interests in the corporation.

If the directors appointed by the President and Senate had been excluded by the charter, from any part of the power exercised by the others; if it had been forbidden them to interfere, to the same extent, and with the same effect, as the rest, in the common business of the bank, there might be some reason for supposing that an uncommon character, a character not so much of action as of supervision and inspection, was intended to be conferred on them. But they do interfere, and justly, in all transactions of the bank. They do vote and act on all subjects, like the other directors. Being then possessed of this common character of directors, and enjoying all its powers to the fullest extent, the committee know no form of argument, by which an uncommon and extraordinary character is to be raised by construction, and superadded to the common character of directors, which thus already belongs to them.

By granting the charter, and by accepting it, the Government on the one hand, and the individual stockholders on the other, have agreed, that, of the directors, as joint agents of all parties, the stockholders shall appoint twenty, and the Government five. The interest of all parties is confided to this joint agency; and any distinction in their powers, as arising from their different modes of appointment, is in the judgment of the committee not to be sustained. They regard such distinction as entirely inconsistent with the nature of the agency created, and as deriving not the least countenance from any thing contained in the law.

The committee, nevertheless, to avoid misapprehension, wish to repeat, that it is undoubtedly the duty of the directors appointed by the President, and of all directors, to give notice, both to Government and the stockhold-

ers, of any violation of the charter committed or threatened.

The Secretary of the Treasury has thought proper to observe, that the measures of the committee of exchange are, as it appears, designed and by system, so arranged as to conceal from the officers of the Government transactions in which the public are deeply involved. This, it must be admitted, is a very serious charge. It imputes a corrupt motive. The committee have sought for the foundation, either in evidence or argument, on which this charge rests. They have found neither. They find only the charge, in the first place; and then they find the charge immediately stated as a fact, and relied on as the basis of other charges.

The second reason specially reported by the Secretary as arising from the conduct of the bank, respects the bill of exchange drawn by the Secretary of the Treasury on the Government of France, and purchased by the bank.

The general facts connected with this case are these:

By the late treaty of indemnity between the U. States and France, it was stipulated that the French Government should pay to that of the U. States twenty-five millions of francs, to be distributed among those American citizens who had claims against France for the unlawful seizure, capture, and condemnation of their vessels and property, the whole sum to be paid in annual instalments of four millions one hundred and sixty-six thousand six hundred and sixty-six francs, each, into the hands of such persons as shall be authorized by the Government of the U. States to receive it; the first instalment to be paid at the expiration of one year next following the exchange of the ratification.

On the expiration of the year, the Secretary drew a bill of exchange, signed by himself as Secretary, on the French Government for the amount of this instalment, and sold it to the bank, like any other bill of exchange, and received the proceeds by credit of the amount to the account of the Treasurer in the bank.

On presentment of the bill at the French Treasury, payment was refused; the bill was accordingly duly protested, and it was then taken up by a third person for account of the bank. The damages accruing on this bill, according to law and to constant usage in such cases, are one hundred and fifty-eight thousand dollars.

If this bill had been transferred by the bank, as probably it was, the bank itself would have been answerable for damages even at a higher rate, if a third person had not taken up the bill for the honor of the bank.

On receiving information of the protest of the bill, the officers of the bank, as was their duty gave immediate notice to the Treasury Department, and accompanied that notice with the information, always made in such cases, that the drawers of the bill would be held answerable for the damages. Such is the substance of the facts in this case.

The bank it would appear, was willing to collect the bill on the account of government, and to credit the Treasury with the proceeds when received: a course of proceedings which had this to recommend it, that the money to be received on the bill, was to be received by the government simply in trust for claimants under the French treaty, and was not ultimately destined to the ordinary uses of the Treasury. On the contrary, indeed before the dishonor of the bill was known, it had been made, already, the legal duty of the Secretary to place the fund, so soon as received, at interest for the benefit of the claimants.

But it was thought best to sell the bill, and to realize at once its amount into the Treasury; and the bill was sold to the bank, in preference to others offering to purchase, for no reason, it is to be presumed, except that the terms of the bank were more satisfactory. The bill was thus purchased by the bank, and its proceeds credited to the Treasury. This was a mere transaction of the purchase and sale of a bill of exchange. There was no trust confided to the bank and no fiscal agency in the whole

matter. Indeed the agency of the bank had been declined, the Secretary preferring to deal with it not as an agent, but as a purchaser, proposing to it not to collect the bill, but to buy it. On being remitted to Europe, and presented for payment, the bill was protested. By the universal commercial law, the Government, on the occurrence of this protest, became amenable to the bank for the amount of the bill, with damages. These damages may be ultimately claimed, with justice from the French Government if the bill was drawn upon sufficient grounds, and on proper authority; in other words, if the obligation of the French Government was such that it was bound to accept and pay the bill: but unless there be something in the case to vary the general rule, which the committee do not perceive, these damages were part of the debt which had become due to the bank, as much as the principal sum of the bill. If this be so, how could the directors relinquish this part of the debt any more than the other? They were agents for the corporation; they act as trustees, and have no authority, without consideration, to release, either to the Government or to individuals, debts due, or properly belonging to the corporation.

It has been suggested that the bank should have taken up this bill, when protested on government account. Two answers may be given to this suggestion: the first is, that the bill had been taken up by a correspondent abroad for account of the bank, before it was known in the United States that it had been protested.—The second is, that it would have been unlawful for the bank to have advanced such amount to the Government or on account of Government for the purpose of taking up this bill, or for any other purpose, without an act of Congress. The express words of the charter forbid it.

But, as a reason for removing the deposits, it appears to the committee quite immaterial whether the bank be right or wrong in claiming these damages. If wrong, it will not recover them. It is not to judge of its own rights, and if the appropriate tribunals shall decide that the bank was acting on this occasion, or ought to have acted as the agent of Government, or that it was its duty to take up the bill on account of Government, then the damages will not be awarded to it. And in the worst aspect of this case, how can its conduct in this respect be any possible reason to justify the removal of the deposits? What connexion has this occurrence with the safe keeping of the public treasures, or with the remitting them from place to place, to meet the convenience of the Government, according to the duty of the bank under the charter? The bank thinks itself entitled to damages on a protested bill, purchased and held by itself, and drawn by Government. The Secretary of the Treasury thinks otherwise. If there be no reason to doubt the sincerity of the Secretary's conviction, there is as little to doubt the sincerity of that entertained by the bank; and it is quite inconceivable to the committee that the pendency of such a difference of opinion, on such a question, should furnish any reason whatever for withdrawing the deposits, unless it be at once admitted that the Secretary holds the power of removal as a perfectly arbitrary power, and may exercise it, by way of punishment, whenever, in any particular, the conduct or the opinions of the bank do not conform to his pleasure.

The Secretary does not argue this matter.—He offers no reason in opposition to the legal right of the bank to the damages claimed.—Indeed, he hardly denies the right. He commences his observations on the subject by saying that the ruling principle of the Bank is its own interest; and closes them with another declaration, that, as fiscal agent of the public, it availed itself of the disappointment of its principal for the purpose of enlarging its own profits.

Assertions like these, however else they may be disposed of, cannot be made subjects of argument.

The last charge preferred against the bank, is, that it has used its means with a view to obtain political power, and thereby secure the renewal of its charter.

The very statement of such a charge, as a reason for removing the deposits, is calculated to excite distrust in the wisdom and propriety of that measure; because the charge, too general to be proved, is too general, also, to be disproved; and since it must always rest mainly on mere opinion, it might be made at any time, by any Secretary, against any Bank. It would be, therefore, always a convenient cloak under which to disguise the true motives of official conduct.

If proof be made out that the funds of the bank have been applied to illegal objects, the proper mode of redress and punishment should have been adopted, but what has this to do with the deposits? As in the case of the French bill, the Secretary cannot justify the removal of the deposits on any such ground as this, unless it be conceded that he may use the power of removal as a punishment for any offence of any kind which the Bank in his opinion, may have committed. The committee have already expressed the opinion that no such latitude of power belongs to him, and the assertion of such a power, for such a cause as is now under consideration, shows that the power ought never to belong to any Secretary; because the offence, on account of which it is here proposed to be exercised, is a political offence, incapable of definition, depending merely on the Secretary's opinion, and necessarily drawing into its consideration all the exciting controverted topics of the day. The bank, it is said, "has sought to obtain political power." What is the definition of such an offence as this? What acts constitute it? How is it to be tried? Who is to be the judge? What punishment shall follow conviction? All must see that charges of this nature are but loose and vague accusations, which may be made at any time, and can never be either proved or disproved; and to admit them as sufficient grounds, or justify the removal of the deposits, would be to concede to the Secretary the possession of a power purely arbitrary.

The main fact relied on for this cause of removal shows how extremely unsafe all proceedings on any such reasons must be. The main fact is, that, between December 1830, and December 1831, the bank extended its loans twenty millions of dollars; and it is further alleged that, as if to leave no doubt on the motive of this extraordinary conduct, it continued to add rapidly to its loans, until in May, 1832, while its petition for renewal was pending, those loans amounted to seventy millions. And the Secretary declares that this extraordinary increase of loans made in so short a space of time, and on the eve of a contested election, in which the bank took an open and direct interest, demonstrates that it was using its money to obtain a hold upon the people of the country to induce them, by the apprehension of ruin, to vote against the candidate whom it desired to defeat. This is a strong assertion, but, so far as the Committee perceive, it is assertion merely. It is but the Secretary's own inference from facts, from which very facts his predecessors in office have drawn no such conclusions.

This great extension of the loans, be it remembered, took place in 1831. Why was it not then complained of? How should it have escaped the vigilance of the Secretary at that day at the time it took place? And if it did not escape his vigilance, why did he not then remove the deposits? So, also, as to the amount of loans in May, 1832. That amount was perfectly well known at the time, and if it proved any offence, why was not the punishment inflicted then? How should all other Secretaries have slept over this great mischief?

It might further be well asked, what evidence is there of the existence of any such motive as is imputed to the Bank in this extension

of its loans? There is no evidence but the mere fact itself of the extension, and it cannot be denied that other and very different reasons for the extensions may have existed; so that the charge is proved no otherwise than by inferring a bad motive from an act lawful in itself, and for which good reasons may have existed, nor is it either acknowledged, nor, so far as the committee know, proved that the bank took an open and direct interest, as a corporation, in the election referred to. The bank certainly was much interested in certain accusations which had been brought against it, and which became subjects of public discussion during the pendency of that election. It had been charged with great misconduct and gross violation of its charter. These accusations must undoubtedly have called on the directors for answer. If made before Congress, they were to answer before Congress; if made judicially, they were to answer in the courts; if made in an official and formal manner, and in that manner submitted to the judgment of the country, the directors were bound to meet them before that country by every fair use of fact and argument, not only for the purpose of defending themselves as directors, but for the higher purpose of maintaining the credit of the bank, and protecting the property entrusted to their care. If in thus defending the bank before the community, the directors carried their measures beyond this fair object of defence, or if they resorted to dishonorable or indecorous modes of discussion; if they sought rather to inflame than to reason; if they substituted personal crimination for argument; if, even, they met invective and violence with corresponding invective and violence; they followed bad examples, and are not to be justified.

But on their right to defend themselves before the public against grave charges brought against them and urged before the public, the committee entertain no doubt, and they are equally clear in opinion that the Secretary of the Treasury is not constituted the judge of the mode of exercising this right, and cannot justly remove the deposits merely because the conduct of the bank, in this particular, has not happened to conform to his wishes.

The committee, therefore, consider this last reason of the Secretary equally insufficient with the rest; and they regard it as the most objectionable of all in its principle, inasmuch as it proceeds on grounds which, if admitted, would leave a very high official duty to be exercised from considerations connected with the political feelings and party contests of every day, with no guide but the individual opinion of the officer who is to perform the act; an opinion which, it is possible, may be no less tainted with political motive and feeling than the conduct which it would reprehend.

If an unlimited power be conceded to the Secretary to inflict penalties on the bank for supposed political motives in acts legal in themselves, where is the security that the judge may not be found acting under the same impulses which he imputes to the party accused?

The committee entertain no doubt that the immediate cause of the existing public distress is to be found in the removal of the public deposits, and in the manner in which that removal has been made. No other adequate cause has been suggested; and those who justify the removal do not so much deny this to have been the cause, as insist that it was not necessary that any such effect should have followed from it. In other words, they argue that, notwithstanding the removal, the bank still possessed the power, if it had chosen to exercise it, of warding off the blow which has fallen on the country, or at least of mitigating its severity.

Nothing could have been more rationally expected but that the bank, deprived of the deposits, and denounced by the Executive Government, would feel itself called on to take just care of its own interest and its own credit. Of the means necessary to the attainment of these

ends, the directors alone were judges, and the committee have no evidence before them to show they have not exercised their judgment fairly, and with a real solicitude to accommodate the commercial community in the altered state of things as far as has been practicable, consistently with the security of the institution, which it is equally their duty to the public and the stockholders to maintain. They are certainly under every obligation of duty, in the present distressed state of the country, to do every thing for the public relief which is consistent with the safety of the bank, and with those considerations which the approaching expiration of its charter makes it important for the directors to regard.

The removal itself, and the matter of effecting it, are causes entirely sufficient, in the judgment of the committee, to produce all the consequences which the country has experienced, and is experiencing; and these consequences, they think, are to be referred to these causes as their just origin. How could any other result have been expected? The amount of the deposits was nine millions of dollars. On this amount in deposits there was sustained, no doubt, a discount of far greater magnitude. The withdrawal of this sum of nine millions from the bank, necessarily compelled it to diminish its discounts to the full extent of all that part which may be supposed to have been sustained by it. It is to be remembered, too, that this was done at a moment when business of every kind was pressed with great activity, and all the means of the country fully employed.

The withdrawing of so large an amount at such a time, from hands actually holding and using it, could not but produce derangement and pressure, even if it had been immediately placed in other banks, and if no unfriendly feeling, and no want of confidence, had attended the transaction. But, it is quite obvious that the operation to which the Secretary has resorted has been attended with both these additional and powerful causes of derangement. It has created unfriendly feelings, and it has diminished confidence. This change of the deposits is made on the strength of charges against the bank of a very grave and aggravated nature, such as, if true, would most seriously affect its credit for solvency and stability. It is proclaimed to the whole world as having converted itself into a political partisan, misapplied its funds, neglected its highest duties, and entered on a career of electioneering against the government of the country.

These serious charges necessarily put the bank on its defence, and the extraordinary spectacle is exhibited of a warfare by the National Government on the National Bank, notwithstanding that the Government is itself a great proprietor in the bank, and notwithstanding that the notes of the bank are the currency in which the revenues of the country are by law receivable.

The true and natural relation between the Government and the bank is altogether reversed. Instead of enjoying the confidence of the Government, it is obliged to sustain its most serious official assaults, and to maintain itself against its denunciations. The banks selected by Government as its agents are themselves thrown, perhaps unwillingly, into an attitude of jealousy and suspicion with the Bank of the United States. They become cautious and fearful, therefore, in all proceedings; and thus those who should co-operate to relieve the public pressure, are considering mainly their own safety. Fearful of each other, and fearful of the Government, they see the distress continue with no power of beneficial interposition.

It may be asked, why are not these deposit banks able to maintain at large a circulation on the nine millions of deposits as the Bank of the United States? And will they not be thus able when the present panic shall have subsided? The committee think both the questions easily answered.

The Bank of the United States has a credit more general, it may be said more universal,

than any State bank does possess. The credit of the Bank of the United States is equally solid; its bills and notes received with equal confidence for the purpose of circulation and remittance, in every quarter of the country. No paper circulation, so far as the committee know, which ever appeared in the world, has approached nearer to the value and uniformity of a specie currency than the notes and bills of the Bank of the United States. To the State banks these notes and bills have performed the office of specie. All the State banks have discounted upon the possession of them, with the same freedom and boldness as they would have done on an equal amount of the precious metals. The curtailment of their circulation, therefore, if not merely a withdrawing of the amount curtailed from the general mass of circulation, it is removing, rather to the amount curtailed, the basis of the general circulation; and although the actual amount of notes and bills has not been recently greatly diminished, there is reason to suppose that the amount held by the State banks has been greatly diminished.

The removal of the deposits has operated directly on the amount of the circulating medium, at a moment when that amount could not bear any considerable reduction suddenly made, without producing sensible effect. It has diminished prices, and, in some instances, it has had this effect to a very material degree. It has operated on the internal exchange, and has most manifestly been attended with very serious and heavy inconveniences in that important branch of the national interest. More than all, it has acted on opinion; it has disturbed the general confidence, it has weakened the public faith in the soundness of the currency, and it has alarmed men for the security of property. As yet, we hardly know its effects on the credit of the country in Europe. Perhaps it is not easy to anticipate those effects; but if causes which operate here should be found to have been efficient there also, a still greater degree of pressure and distress than has yet been felt may be expected.

The committee, therefore, cannot but regard the removal of the deposits, on the whole, as a measure highly inexpedient, and altogether unjustifiable. The public monies were safe in the bank. This is admitted. All the duties of the bank connected with these public monies were faithfully discharged. This, too, is admitted. The subject had been recently before the House of Representatives, and that house had made its opinion against the removal known by a very unequivocal vote. Another session of Congress was close at hand, when the whole matter would come again before it. Under these circumstances, to make the removal, with the certainty of creating so much alarm, and of producing so much positive evil and suffering, such derangement of the currency, such pressure and distress in all the branches of the business of private life, is an act which the committee think the Senate is called on to disapprove. The reasons which have thus been stated apply to the whole proceedings of the Secretary relating to the public deposits, and make it unnecessary to consider whether there be any difference between his power over monies already in the bank, and his power to suspend future deposits. The committee forbear, also, to consider the propriety of the measures adopted by the Secretary, for the safe keeping of the public monies since their withdrawal from the bank. They forbear, too, from entering into any discussion, at present, of the course of legislation proper to be adopted by Congress under the existing state of things. In this report, they have confined their consideration to the removal of the deposits, the reasons assigned for it, and its immediate consequences; and on these points they have formed the opinions which have now been expressed.

They recommend to the Senate the adoption of the resolution which has been referred to them,

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They have already in their possession the requisite apparatus for the construction of three classes of engines, viz. engines weighing four, five, and six tons.

The engines made by them will be warranted to travel at the following rates of speed, viz. a six ton engine at a speed of 15 miles per hour; a five ton engine at a speed of 18 miles per hour; a four ton engine at a speed of 22 1/2 miles per hour. Their performance in other respects will be warranted to equal that of the best English engines of the same class, with respect not only to their efficiency in the conveyance of burthens, but to their durability, and the cheapness and facility of their repairs.

The engines will be adapted to the use of anthracite coal, pine wood, coke, or any other fuel hitherto used in locomotive engines.

The terms shall be quite as favorable, and even more moderate, than those on which engines of the same class can be procured from abroad.

All orders for engines, &c. and other communications in reference to the subject, will be addressed to the subscriber, in the city of Philadelphia, and shall receive prompt attention.

By order of the Company,

WILLIAM NORRIS, Secretary.

December 2d, 1833.

For further information on this subject see No. 43, page 77 of this Journal.

At the commencement of the last year I offered to send the American tri-weekly instead of semi-weekly, together with two of my periodicals, in exchange to those who would publish my advertisements of the different periodicals. In consequence of this notice, the exchange list was increased to 165. I soon found that the expense would be greater than I had anticipated, yet I had made the offer, and would of course continue it through the year—as I have done. I however find it too expensive to continue to send as heretofore. The circulation of my PERIODICALS, (upon which the expense falls,) will not warrant it, and I must, therefore, notwithstanding the uniform kindness with which they have been treated by those to whom they have been sent, materially reduce their exchange list.

The semi-weekly American will hereafter be sent in exchange to those who will publish the following advertisements a few weeks for the difference of price. New-York, January 20, 1834.

VOL. III. OF THE RAILROAD JOURNAL AND ADVOCATE OF INTERNAL IMPROVEMENTS is published once a week in quarto form, with 16 pages to each number, at \$3; or in semi-monthly form, of 32 pages, stitched in a cover of colored paper, at \$4 per annum, in advance. The first and second volumes of the Journal may be had in two parts to the year, either stitched in covers or bound in boards, at the subscription price, with price of binding, in one part, 50 cents, in two parts \$1 per volume. Those in covers may be sent by mail to any part of the country, the same as a magazine. Published at No. 35 Wall st., New-York, by D. K. MINOR, Editor and Proprietor.

THE MECHANICS' MAGAZINE AND REGISTER OF INVENTIONS AND IMPROVEMENTS is now just commencing its second year. It will be continued in a manner altogether superior to that of the first year. It has drawn forth many valuable correspondents, in different parts of the country, with the assistance of whom, and those who may hereafter contribute to its columns, together with the ability of Mr. JOHN KNIGHT, formerly, and for several years, proprietor and publisher of the LONDON MECHANICS' MAGAZINE, who is engaged as Editor, the proprietor has no hesitation in saying that it will be found worthy of an extended circulation and a liberal support. The first year, or two first volumes, having been stereotyped, may now be had either in numbers, or bound in boards—either at wholesale or retail. Price \$1 50 per vol. in numbers; or \$1 75 in boards, or \$3 per annum. A liberal discount made to the trade. Published by the proprietor, D. K. MINOR, at No. 35 Wall st. N. Y.

THE NEW-YORK FARMER AND AMERICAN GARDENER'S MAGAZINE, has commenced the second volume of a new series. It is published once a month, in quarto form of 32 pages to each monthly number, at \$3 per annum in advance. The last volume may be had either stitched in a cover, so as to be sent by mail, or in boards. Price, stitched, \$3 25; in boards, \$3 50. Each subscriber who pays in advance, or previous to the first of April, free of postage or commission, will be entitled to eight additional pages to each monthly number, or 96 extra pages to the volume. Published at No. 35 Wall street, N. Y. D. K. MINOR, Proprietor. Jan. 22, 1834.

A QUARTERLY JOURNAL OF AGRICULTURE AND MECHANICS will hereafter be published at the same office. Each quarterly number will contain about 300 large octavo pages, embracing the most choice articles from the best agricultural and mechanical publications both in America and Europe. It will form 2 volumes to the year, of about 640 pages each, and will be put up like other quarterly publications, so as to be sent by mail. Price, \$5 per annum, in advance.

N. B. A small edition only will be published.

D. K. Minor also publishes the NEW-YORK AMERICAN, daily, tri-weekly, and semi-weekly.

Also, the PLOUGH-BOY, a cheap agricultural publication, of eight quarto pages, is issued once a week, at \$1 50 per annum, in advance. It contains much interesting reading upon agriculture, &c.

All Letters and Communications for the above publications, may be addressed, free of postage, to D. K. MINOR.

A scientific person versed in Mechanics, Chemistry and Mineralogy, of several years practical experience in different branches of Civil Engineering, and who is also a good draughtsman, is desirous of obtaining employment either as an instructor in some public institution, or as an Engineer upon some private or public work.

He was educated at one of the first scientific institutions in the United States, and was for several years an instructor in the said institution.

A line addressed to B. at Railroad Journal Office, No. 35 Wall street, will meet with immediate attention. J 215 if

LB ANY SEED STORE AND HORTICULTURAL REPOSITORY.



The subscriber having resumed the charge of the above establishment, is now enabled to furnish traders and others with FRESH GARDEN SEEDS, upon very favorable terms, and of the growth of 1833, warranted of the best quality.

The greatest care and attention has been bestowed upon the growing and saving of Seeds, and none will be sold at this establishment excepting those raised expressly for it, and by experienced seedsmen; and those kinds imported which cannot be raised to perfection in this country; these are from the best houses in Europe, and may be relied upon as genuine.

It is earnestly requested whenever there are any failures hereafter, they should be represented to the subscriber; not that it is possible to obviate unfavorable seasons and circumstances, but that satisfaction may be rendered and perfection approximated.

Also—French Lucern, White Dutch Clover, White Mulberry Seed, genuine Mangel Watzel, Yellow Locust, Ruta Baga, and Field Turnip Seeds, well worth the attention of Farmers.

W. THORBURN.

347 N. Market st. (opposite Post Office.)

Catalogues may be had at the Store; if sent for by mail, will be forwarded gratis. Orders solicited early, as the better justice can be done in the execution.

Mr. Thorburn is also Agent for the following publications, to wit:—

NEW-YORK FARMER and American Gardeners' Magazine.

MECHANICS' MAGAZINE and Register of Inventions & Improvements.

AMERICAN RAILROAD JOURNAL and Advocate of Internal Improvements; and the

NEW-YORK AMERICAN, Daily, Tri-Weekly, and Semi-Weekly;

either or all of which may be seen and obtained by those who wish them, by calling at 347 North Market street, Albany.

G. LANSING, Engraver on Wood,
35 WALL STREET.

All kinds of Machinery correctly drawn, and neatly engraved.

TOWNSEND & DUFFEE, of Palmyra, Manufacturers of Railroad Rope, having removed their establishment to Hudson, under the name of Duffee, May & Co. offer to supply Rope of any required length (without splice) for inclined planes of Railroads at the shortest notice, and deliver them in any of the principal cities in the United States. As to the quality of Rope, the public are referred to J. B. Jervis, Eng. M. & H. R. Co., Albany; or James Archibald, Engineer Hudson and Delaware Canal and Railroad Company, Carbondale, Luzerne county, Pennsylvania. Hudson, Columbia county, New-York, } January 22, 1834.

SURVEYORS' INSTRUMENTS.

Compasses of various sizes and of superior quality, warranted.

Leveling Instruments, large and small sizes, with high magnifying powers with glasses made by Troughton, together with a large assortment of Engineering Instruments, manufactured and sold by E. & G. W. BLUNT, 154 Water street, corner of Maidenlane.

ENGINEERING AND SURVEYING INSTRUMENTS.

The subscriber manufactures all kinds of Instruments in his profession, warranted equal, if not superior, in principles of construction and workmanship to any imported or manufactured in the United States; several of which are entirely new: among which are an Improved Compass, with a Telescope attached, by which angles can be taken with or without the use of the needle, with perfect accuracy—also, a Railroad Goniometer, with two Telescopes—and a Levelling Instrument, with a Goniometer attached, particularly adapted to Railroad purposes.

WM. J. YOUNG, Mathematical Instrument Maker, No. 9 Dock street, Philadelphia.

The following recommendations are respectfully submitted to Engineers, Surveyors, and others interested.

In reply to thy inquiries respecting the Instruments manufactured by thee, now in use on the Baltimore and Ohio Railroad. I cheerfully furnish thee with the following information: The whole number of Levels now in possession of the department of construction of thy make is seven. The whole number of the "Improved Compass" is eight. These are all exclusive of the number in the service of the Engineer and Graduation Department.

Both Levels and Compasses are in good repair. They have in fact needed but little repair, except from accidents to which all instruments of the kind are liable.

I have found that thy patterns for the levels and compasses have been preferred by my assistants generally, to any other in use, and the Improved Compass is superior to any other description of Goniometer that we have yet tried in laying the rail on this Road.

This instrument, more recently improved with a reversing telescope, in place of the vane sights, leaves the engineer scarcely any thing to desire in the formation or convenience of the Compass. It is indeed the most completely adapted to lateral angles of any simple and cheap instrument that I have yet seen, and I cannot but believe it will be preferred to all others now in use for laying off rails—and in fact, when known, I think it will be as highly appreciated for common surveying.

Respectfully thy friend,
JAMES P. STABLER, Superintendent of Construction of Baltimore and Ohio Railroad.

Philadelphia, February, 1834.
Having for the last two years made constant use of Mr. Young's "Patent Improved Compass," I can safely say I believe it to be much superior to any other instrument of the kind now in use, and as such most cheerfully recommend it to Engineers and Surveyors.

E. H. GILL, Civil Engineer.

Germantown, February, 1834.
For a year past I have used Instruments made by Mr. W. J. Young, of Philadelphia, in which he has combined the properties of a Theodolite with the common Level.

I consider these Instruments admirably calculated for laying out Railroads, and can recommend them to the notice of Engineers as preferable to any others for that purpose.

HENRY R. CAMPBELL, Eng. Philad., Germant. and Norrist. Railroad

AN INTERESTING AND USEFUL MAP.

A friend of ours has now in a state of forwardness, a Map upon which will be delineated nearly all the Railroads now chartered in the U. States. It is designed to show the present contemplated connexion of the different lines, as well as where others may hereafter be constructed to connect with them. It will be completed in a few weeks, and may be had either in sheets, or put up in morocco for pocket maps, in any quantity, by applying to the subscriber.

D. K. MINOR, 35 Wall street.

New-York, August 14, 1833.

INCOMBUSTIBLE ARCHITECTURE.

INCOMBUSTIBLE dwelling-houses and buildings of all kinds devised or built in New-York, or any part of the United States, as cheap as any other combustible buildings. Actual buildings and houses rendered incombustible at a small additional expense.

SHIPS of all sorts, and Steamboats, rendered incombustible, and not liable to sink, at a small expense.

For sale, 10,000 lbs. of ANTIGNIS, or incombustible Varnish, at one dollar per lb.

Apply to C. S. RAFFINESQUE, Professor of Hist. and Nat. Sciences, Chemist, Architect, &c. in Philadelphia, No. 59 North 8th street. A pamphlet given gratis.

References in New-York.—Mr. Minor, Editor of the Mechanics' Magazine; Messrs. Rushion & Aspinwall, Druggists.

Editors in the city or country, copying this advertisement, will receive a commission on any contract procured by their means.

31 R JMM & F



INSTRUMENTS.

SURVEYING AND NAUTICAL INSTRUMENT MANUFACTORY.

EWING & HEARTT, at the sign of the Quadrant, No. 53 South street, one door north of the Union Hotel, Baltimore, beg leave to inform their friends and the public, especially Engineers, that they continue to manufacture to order and keep for sale every description of Instruments in the above branches, which they can furnish at the shortest notice, and on fair terms. Instruments repaired with care and promptitude.

For proof of the high estimation on which their Surveying Instruments are held, they respectfully beg leave to tender to the public perusal, the following certificates from gentlemen of distinguished scientific attainments.

To Ewin & Heartt.—Agreeably to your request made some months since, I now offer you my opinion of the Instruments made at your establishment, for the Baltimore and Ohio Railroad Company. This opinion would have been given at a much earlier period, but was intentionally delayed, in order to afford a longer time for the trial of the Instruments, so that I could speak with the greater confidence of their merits, if such they should be found to possess.

It is with much pleasure I can now state that notwithstanding the Instruments in the service procured from our northern cities are considered good, I have a decided preference for those manufactured by you. Of the whole number manufactured for the Department of Construction, to wit: five Levels, and five of the Compasses, not one has required any repair within the last twelve months, except from the occasional imperfection of a screw, or from accidents, to which all Instruments are liable.

They possess a firmness and stability, and at the same time a neatness and beauty of execution, which reflect much credit on the artists engaged in their construction.

I can with confidence recommend them as being worthy the notice of Companies engaged in Internal Improvements, who may require Instruments of superior workmanship.

JAMES P. STABLER,

Superintendent of Construction of the Baltimore and Ohio Railroad.

I have examined with care several Engineers' Instruments of your Manufacture, particularly Spirit Levels, and Surveyors' Compasses; and take pleasure in expressing my opinion of the excellence of the workmanship. The parts of the levels appeared well proportioned to secure facility in use, and accuracy and permanency in adjustments.

These instruments seemed to me to possess all the modern improvement of construction, of which so many have been made within these few years; and I have no doubt but they will give every satisfaction when used in the field.

WILLIAM HOWARD, U. S. Civil Engineer.

Baltimore, May 1st, 1833.

To Messrs Ewin & Heartt.—As you have asked me to give my opinion of the merits of those instruments of your manufacture which I have either used or examined, I cheerfully state that as far as my opportunities of my becoming acquainted with their qualities have gone, I have great reason to think well of the skill displayed in their construction. The neatness of their workmanship has been the subject of frequent remark by myself, and of the accuracy of their performance I have received satisfactory assurance from others, whose opinion I respect, and who have had them for a considerable time in use. The efforts you have made since your establishment in this city, to relieve us of the necessity of sending elsewhere for what we may want in our line, deserve the unqualified approbation and our warm encouragement. Wishing you all the success which your enterprise so well merits, I remain, yours, &c.

B. H. LATROBE,

Civil Engineer in the service of the Baltimore and Ohio Railroad Company.

A number of other letters are in our possession and might be introduced, but are too lengthy. We should be happy to submit them upon application, to any persons desirous of perusing the same.